



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.20450 of 2022

1. R.Srinivasaga Babu
2. Suchitra

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
(Crime No.130/2022).

... Respondent/Complainant

For Petitioners : M/s.Gunasekaran P, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.130/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offence under Sections 286, 337 and 304(2) IPC r/w Section 9(B)(1)(a) of Explosives Act in Crime No.130 of 2022, seek anticipatory bail.

2.The case of the prosecution is that on 02.10.2022, at about 01.00 p.m., the de-facto complainant, namely, one Pandiyarajan, Village Administrative Officer, heard a cracker sound from the land in S.No.221/6, situated in Nedunkulam Village, Virudhunagar District and also went to the spot and found that one Thiruppathy and Nagaraj sustained burn injuries. He further found that the said accident



occurred while making cracker by using prohibited explosive items. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the first petitioner is a license seller of raw materials, which is being used to manufacture crackers and the respondent police is unnecessarily harassing the petitioners every day. In fact, the above said Thiruppathy and Nagaraj are strangers to the petitioners. Moreover, the said accident took place 12 k.m., away from the petitioners' office and the petitioners are only traders and they are no way connected with the manufacturing process of crackers. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Crl. side) for the respondent would submit that totally four accused involved in this case. A1 is the owner of the land. A2 is the labour and A3 and A4 are the material supplier. Two persons were died in the said accident. The investigation is in preliminary stage. Hence, he prayed for dismissal of this petition.

5. Considering the gravity and nature of the offence case and also considering the facts that two persons reported dead and the investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

18/11/2022

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/11/2022

Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. THE INSPECTOR OF POLICE,
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20450 of 2022

Date :18/11/2022