



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.20279 of 2022

1. Vellaiyan
2. Pandi

... Petitioners/Accused No.2 & 3

Vs

State rep.by
The Inspector of Police,
Sindupatty Police Station,
Madurai District.
(Crime No.202 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Ramsundarvijayraj S, 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.202 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offence under Sections 286, 337, 338, 304(2), 308 and 427 IPC and 9(B)(1)(a) of Indian Explosives Act, 1884 in Crime No.202 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the Village Administrative Officer of Alagusirai Village of Thirumangalam Taluk, Madurai, who gave a complaint before the respondent police stating that due to non-providing of safety measures, fire accident had taken place at VBM Fire works on 10.11.2022 at about 01.30 p.m., in which, five persons have succumbed and 13 persons sustained injuries. Hence, the complaint.



3.The learned counsel for the petitioners would submit that A1 is the owner and A2 is the husband of A1, who is the in-charge of the said fire works and A3 is the supervisor. He would further submit that A1 was already arrested and still in judicial custody. He would further submit that the petitioners are innocents and they are no way connected with the alleged occurrence and they have been falsely implicated in this case. Hence, he prays for anticipatory bail.

5.The learned Government Advocate (Crl. side) for the respondent would submit that due to negligent handling of Explosives and Violation of Rules, fire broke out in the factory, in which, five persons reported dead and 13 persons sustained injury. He would further submit that the investigation is pending. Hence, he prayed for dismissal of this petition.

6.Considering the gravity and nature of the offence case and also considering the facts that five persons reported dead and 13 persons sustained injury and the investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition is dismissed.

Sd/-

18/11/2022

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/11/2022

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

SJI

TO

1. THE INSPECTOR OF POLICE,
SINDUPATTY POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.RAMSUNDARVIJAYRAJ S Advocate SR.No.13325

ORDER

IN

CRL OP(MD) No.20279 of 2022

Date :18/11/2022