

THE HONBLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.3678 of 2022

ORDER:

1. This Criminal Petition under Section 438 Criminal Procedure Code is filed by petitioner, who is arrayed as accused No.6, seeking bail in the event of his arrest in connection with Crime No.86 of 2022 on the file of Dharmapuri Police Station, registered for the offences punishable under Sections 420, 286 of Indian Penal Code and Section 5 of Explosives Substance Act, 1908 and Section 9 (B) (1) (b) of Explosives Act, 1884.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The petitioner is arrayed as accused No.6 basing on the confession of accused No.1 and 2, who were found in possession of some Gelatin sticks and electric

detonators. The basis for arraying this petitioner as accused is confession of Accused No.1 and 2 that they purchased the Gelatin Sticks and detonators from the shop of this petitioner. Apart from confession, there is no other evidence collected by the police to establish any kind of complicity of this petitioner in the present case. Further, the petitioner is a licence holder having obtained from the Controller of Explosives, Seunderabad As per the Explosives Act the punishment, prescribed for violation of the conditions of the police, is up to three years, which is bailable in accordance Schedule-II of Criminal Procedure Code, for which reason, the petitioner can be granted relief of anticipatory bail.

4. In the facts and circumstances of the case, the Criminal Petition is, accordingly, allowed and the petitioner/accused No.6 is granted anticipatory bail subject to the following conditions:

(1) The petitioner/Accused No.6 is directed to surrender before the Station House Officer, Dharmapuri Police Station, within ten days from the date of this order, and, on such surrender, the petitioner is directed to be released on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties to the like sum each to his satisfaction.

(2) The petitioner shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case as and when required.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER,J

27.04.2022

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DATE: 27.04.2022

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