

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5848 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused in Crime No.440 of 2022 on the file of Station House Officer, Pet Basheerabad Police Station, Cyberabad registered for the offences punishable under Sections 304-II and 308 of Indian Penal Code.

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

3. The case of the prosecution is that the petitioner is the owner of unit which deals with refilling of Fire Extinguishers. During the course of business on 01.06.2022 there was a blast at the business premises resulting in death of one person who was grievously injured and two others received injuries and they were admitted in the hospital.

4. Learned counsel for the petitioner submits that though precautions were taken, the incident occurred and the present case

is registered on the allegation that there were no precautions that were taken and further though there was a valid license, the remand report reflects that valid license and permission from competent authorities was not shown to the investigating officer.

5. Learned Assistant Public Prosecutor has drawn attention of this Court to the remand case diary wherein it is mentioned that the petitioner failed to furnish valid license or any kind of permission from the competent authorities.

6. As seen from the order of the learned II Additional District and Sessions Judge, Medchal dated 30.06.2022 vide Crl.M.P.No.224 of 2022, the learned Sessions Judge having gone through the documents produced by this petitioner about his business and dismissed the bail petition on the ground that the petitioner having knowledge about the danger, failed to take required precautions. Admittedly as seen from the order of the learned Sessions Judge, there was a valid license, but for the reason of not taking any precautions, the same resulted in the death of one person and two others injured. The petitioner is in jail since 03.06.2022, he can be granted the relief of bail subject to conditions.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted bail subject to the following conditions:

- i) The petitioner/Accused shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of XXII Additional Metropolitan Magistrate, Cyberabad at Medchal.
- ii) The petitioner/Accused shall not run the said business till the investigation is completed and certified by competent authorities.
- iii) The petitioner/Accused shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of two (02) months or until filing of charge sheet whichever is earlier.
- iv) The petitioner/Accused No.3 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 12.07.2022
ns