



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6902 of 2023

1.Mariappan
2.Vinoth @ Vinothkumar
3.Pandi @ Soundirapandi ... Petitioners/Accused Nos.1 TO 3
Vs

The State represented by
The Inspector of Police,
Sattur Taluk Police Station,
Sattur,
Virudhunagar District.
Crime No.66 of 2023

... Respondent/Complainant

For Petitioners : Mr.S.Prabha
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.66/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 286 of I.P.C. and Section 9[B](1)(a) of Indian Explosive Act in Crime No.66 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on the intimation given by the Village Administrative Officer, there was fire break out in Fire Tex Crackers Company on 07.04.2023, on inspection, it was found that Room No.4 and 5 had got fired at about 12.00 noon and Room No.3 was caused damage. There was no loss of life. It is also learnt that the said fireworks had expired on 31.03.2023.

3.Heard both sides and perused the materials available on record including the First Information Report.



4.Considering the above facts and circumstances of the case and also the fact that no one has been injured in this case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

WEB COPY

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Sattur, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

17/04/2023

/ TRUE COPY /

/04/2023

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

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SATTUR, VIRUDHUNAGAR DISTRICT.



3 THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION,
SATTUR,
VIRUDHUNAGAR DISTRICT.

WEB COPY

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

ORDER
IN
CRL OP (MD) No.6902 of 2023
Date :17/04/2023

SS/SSS/SAR IV/27/04/2023/3P/5C