



CRL OP(MD). No.13181 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13181 of 2023

1. Santhosh,

2. Valarmathi,

... Petitioners/ Accused Nos.2&3

Vs

The State rep.by,
The Inspector of Police,
Elayirampannai Police Station,
Elayirampannai,
Virudhunagar District,
In Crime No.103/2023..

... Respondent/Complainant

For Petitioner : M/s.Prabha.S,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.103/2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners/Accused No.2 & 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 9(B)(1)(a) of Indian Explosive Act, in Crime No.103 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on usual inspection at Sri Sai Sankar Fire Works situated at Karisalpatti, Virudhunagar District, the officials has found Red Joint Fire Crackers which was banned by the Government of Tamil Nadu. On confession of the Manager of the said company one Vadivel, the present complaint has been lodge.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that these petitioners also partners along with the first accused.



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5. But the counsel for the petitioners would submit that the petitioners are only labours under the first accused. They have also produced their aadhar card, which shows that they belonged to Krishnahiri area.

6. Perusal of CD file does not indicate recovery of any partnership deed during the course of investigation.

7. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Sattur, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall co-operate with the respondent police to complete the process of investigation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



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9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

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19/07/2023

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/07/2023

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

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TO

1.THE JUDICIAL MAGISTRATE NO.I, SATTUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
ELAYIRAMPANNAI POLICE STATION,
ELAYIRAMPANNAI, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.PRABHA.S Advocate SR.No.11032

ORDER
IN

CRL OP(MD) No.13181 of 2023

Date :19/07/2023

RK/BUC (28/07/2023) 4P /6 C

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