



CRL OP(MD) No.17269 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.17269 and 17270 of 2023

Anthonyiammal

... Petitioner/ Accused No.1
in Crl.O.P.(MD).No.17269 of 2023

Dharma

... Petitioner/ Accused No.4
in Crl.O.P.(MD).No.17270 of 2023

Vs

State through the
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar.
Virudhunagar District.
(Crime No. 277/2023.)

... Respondent/Complainant in both cases

For Petitioner : R. Rajamohan, Advocate.
in Crl.O.P.(MD).No.17269 of 2023
For Petitioner : M/s Venkatesan.R, Advocate.
in Crl.O.P.(MD).No.17270 of 2023

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor in both cases

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



CRL OP(MD) No.17269 of 2023

PRAYER :-

WEB COPY

For Anticipatory Bail in Crime No. 277 of 2023 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 286 of I.P.C. r/w Section 9(B)(1)(a) of the Indian Explosives Act, 1884, in Crime No.277 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:

The defacto complainant is a Village Administrative Officer. On information, he visited Sanjay Power Works Company premises on 15.07.2023 at about 01.00 p.m. During his inspection, he found that the crackers were prepared outside the rooms, earmarked for manufacturing the crackers. On seeing the defacto complainant some of the persons, ran away from that place. On further search, he found the portions of the crackers. Further enquiry, revealed that licence was granted in favour of one Anthoniyammal, the first accused. Against the licence, she sub-leased the same to one Palraj and one Dharmaraj. Knowing fully that if the crackers are manufactured or produced outside earmarked area, it may endanger human life, the above said manufacturing has been undertaken and the crackers



CRL OP(MD) No.17269 of 2023

worth about Rs.6lakhs has been recovered from that place. Based upon the complaint, the above said case has been registered against the accused persons.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. The petitioners have filed undertaking affidavit that they will not participate in such activities in future.

4. Learned Government Advocate (Crl.side) would submit that the petitioners have created danger to human life.

5. Learned counsel for the petitioners would submit that the petitioners have filed an undertaking affidavit apologizing their activities and also undertook that they will not commit such offences in future.

6. Considering the facts and circumstances of this case and also considering the undertaking affidavit filed by the petitioners tendering apology, this Court is inclined to grant relief to the petitioners.

7. 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.2, Sivakasi, 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



CRL OP(MD) No.17269 of 2023

Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

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

sd/-
18/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG

To

1.The Judicial Magistrate No.II,
Sivakasi.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Sivakasi East Police Sttion,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD) No.17269 of 2023

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-15388[I] dated 18/10/2023)

WEB COPY

+1 CC to M/s.R.VENKATESAN, Advocate (SR-15351[I] dated 18/10/2023)

ORDER
IN

CRL OP(MD). Nos.17269 and 17270 of 2023

Date :18/10/2023

ED/JGB/SAR- (30/10/2023) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023