



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 03/01/2023

WEB COPY

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.21416 of 2022

1.Vaithiyalingam

2.Jansi Rani

: Petitioners/A3 and A4

Vs.

State through the
Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

(Crime No.326 of 2022)

: Respondent/Complainant

For Petitioners

: Mr.E.Mareeskumar, Advocate.

For Respondent

: Mr.M.Sakthi Kumar
Government Advocate
(Criminal side)

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

PRAYER:-For Anticipatory Bail in Crime No.326 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A3 and A4 apprehending arrest at the hands of the respondent police for the offences punishable under section 286 IPC r/w 9(B)(1)(a) of Indian Explosives Act, 1984, in Crime No.326 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have manufactured and stored the crackers without following the safety procedures. Hence the complaint.

3.The earlier anticipatory bail application was dismissed by this court finding that the first petitioner is having four previous cases of similar in nature and the second petitioner is having three cases. But however, the learned counsel appearing for the petitioners would submit that in a subsequent case in Crime No.438 of 202, the coordinate Bench of this court granted anticipatory bail



in Crl.OP(MD)No.21283 of 2022, dated 01/12/2022 on the ground that the co-accused has been released on bail.

4. Even there is no strong observation made by this court in the earlier anticipatory bail application, in view of the order passed by the coordinate Bench of this court in the subsequent matter, it may not be proper on the part of this court to dismiss the present petition.

5. On the sole ground, this court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Sivakasi and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and the petitioners shall appear before the respondent police, daily at 10.00 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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.

sd/-

03/01/2023

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/01/2023

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

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TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SIVAKASI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
 - 3 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.MAREESKUMAR E Advocate SR.No.517(f)

ORDER

IN

CRL OP(MD) No.21416 of 2022

Date :03/01/2023

RK/BUC/SAR-2 (19/01/2023) 3P/6C