



Crl.O.P.No.7695 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.7695 of 2022

and

Crl.M.P.No.4416 of 2022

P.Veerasamy

... Petitioner

Versus

1. State rep. by
The Inspector of Police,
Gingee Police Station,
Villupuram Dt.
(Crime No.531 of 2019)

2. M.Surya

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records on the file of Inspector of Police, Gingee Police Station, Villupuram District in Crime No. 531 of 2019 and quash the same.

For Petitioner : Mr.K.Arul



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For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No.531 of 2019 on the file of 1st respondent police.

2. Heard both sides.

3. The petitioner is arrayed as accused in the F.I.R. in Crime No.531 of 2019 registered for an offence under Sec.286, 427, 304(2) of I.P.C. read with Sec.9(B)(1)(a) and (b) of Explosives Act and Sec.14, 19 of Explosive Rules and Sec.4 of TNPPDL Act based on the complaint given by the 2nd respondent/defacto complainant. Now, the petitioner filed this petition to quash the said F.I.R.

4. The case of prosecution is that the petitioner is a small-time dealer in crackers and during the course of his business, he consigned a consignment of crackers to one of his business associate in pick up van TATA Ace bearing Regn. No.PY-01-5065. However, on 30.09.2019, the vehicle developed a technical snag in the midway and the radiator was hot and emanated fumes. When the driver and cleaner tried to cool it,



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unfortunately, the vehicle exploded, resulting in which, three persons lost their life as well as vehicle along with entire goods was damaged. Hence, the complaint.

5. Considering the facts and circumstances, it reveals that it is a case of fatal of three persons while carrying crackers, which needs detailed investigation. So, there is no materials or basic ingredients to quash the F.I.R. registered against the petitioner. Hence, this Court is not inclined to quash the proceedings initiated against him. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

01.02.2024

Index: Yes/No
Internet: Yes/No
rpp

To

1. The Inspector of Police,
Gingee Police Station, Villupuram Dt.
2. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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