



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

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21368 of 2015

1 SIKKANDAR

2 ISMAIL @ MOHAMMED ISMAIL

... PETITIONERS / ACCUSED No.1 & 2

Vs

State rep.by

THE INSPECTOR OF POLICE

ATHCHANPUTHUR POLICE STATION, SENKOTTAI TALUK,

TIRUNELVELI DISTRICT

(Crime.No.55 of 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MOORTHY Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

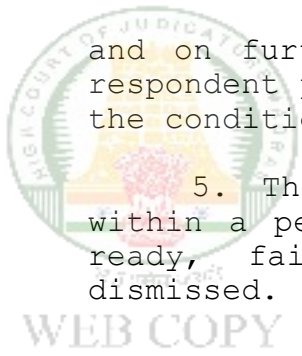
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 & 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 174 of Cr.P.C., altered into 304 of IPC, in Crime No.55 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the owner of the house and on 19.02.2015 the first petitioner engaged the deceased and the second petitioner for construction of his house. At the time of doing work, the deceased got electrical shock and immediately admitted in the hospital. Therefore, the case has been registered under Section 174 Cr.P.C., and later altered into Section 304 of IPC.

3.The case of the petitioners is that the first petitioner is the house owner and the second petitioner is the co-worker of the deceased. The first petitioner engaged the deceased and the second petitioner for construction work. Due to electrical shock, the deceased died and it is only an accident. The petitioner is no way connected with the alleged occurrence. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.Considering the facts and circumstances of the case, 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 Magistrate, Shencottai 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 Magistrate concerned



and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. 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/-
04/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SHENCOTTAI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
ATHCHANPUTHUR POLICE STATION, SENKOTTAI TALUK,
TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.MOORTHY Advocate SR.No.69460

sm:MP-PM:SAR II:08.12.2015:2P/6C

ORDER
IN
CRL OP(MD) No.21368 of 2015
Date :04/12/2015