



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22260 of 2015

SURESH KUMAR

... PETITIONER / ACCUSED No.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
CHINNAKOVILANKULAM POLICE STATION,
TIRUNELVELI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR 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 :-

he petitioner, who is arrayed as accused No.1 in Crime No.69 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 279, 337, 338, 304 and 304(A) I.P.C., and hence seeks anticipatory bail.

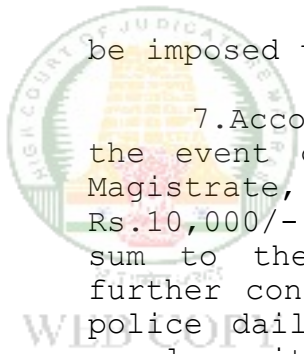
2.The case of the prosecution is that on 02.05.2015, the petitioner drove the bus belonging to the Tamil Nadu State Transport Corporation in a rash and negligent manner and caused death of five persons and caused injuries to twenty three persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel for the petitioner further submitted that the petitioner drove the bus properly and even as per the First Information Report, the case would be one under the contributory negligence and the second accused had covered the entire road by depositing millets and he is responsible for the accident and the driver of the Maxi Cab van, who was proceeding in the opposite direction caused the accident.

4.The learned Government Advocate (Crl.side) submitted that the case has been registered under Sections 279, 337, 338, 304 and 304(A) I.P.C. and the second accused was arrested and enlarged on bail on 26.06.2015.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused has been arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

<https://hcservices.ecourt.gov.in/hcservices/> 6.The learned counsel for the petitioner submitted that the petitioner is working as a driver in the Tamil Nadu State Transport Corporation and in the event of granting anticipatory bail, condition may



be imposed to sign before the respondent police in the morning.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sankarankovil and on 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 petitioner shall appear before the respondent police daily at 07.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioner 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/-
25/11/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
SANKARANKOVIL
2. THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
3. THE INSPECTOR OF POLICE
CHINNAKOVILANKULAM POLICE STATION,
TIRUNELVELI DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.67551

ORDER
IN
CRL OP(MD) No.22260 of 2015
Date :25/11/2015

SH/NGM-SS/SAR-I :27.11.2015:2P/6C