



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.225 of 2015

N.RAJAGOPAL

..PETITIONER/ACCUSED

(RANK NOT KNOWN)

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
SEMPATTI POLICE STATION,
DINDIGUL DISTRICT.

(*)CR.NO.36 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.MAHENDRAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 304 (A) and 304(B) **(*)and Sections 201 and 304(ii) IPC in (*)Crime No.36 OF 2015** on the file of the respondent police, seeks anticipatory bail.

2. The learned Government Advocate (Criminal side) submits that no regular case has been registered and only petition enquiry is pending against the petitioner.

3. It is seen from the complaint that the father of the *defacto* complainant had gone for work in the Well of the petitioner and there, it is alleged that sand caved in, on account of which, the *defacto* complainant's father died. This incident took place on 12.09.2014 and the complaint was lodged on 02.12.2014 and a direction in Crl.O.P.(MD) No.23642 of 2014 was obtained by the *defacto* complainant for registering the case.

4. The learned counsel for the petitioner produced the medical records, which clearly shows that the father of the *defacto* complainant was suffering from hypertension and he died out of sudden cardio respiratory arrest. This has been given by the Medical Officer, Government Primary Health Centre, Sakkayanayakanur. Under such circumstances, I am inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

<https://hcservices.ecourts.gov.in/hcservices/>

[a] the petitioner shall report before the respondent police as and when required for interrogation.



[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

12/01/2015

(*)Amended as per order dated 09/02/2015

and made in Cr1.OP(MD)No.2187/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

(*)To be substituted order already despatched.

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, SEMPATTI POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S.K.MAHENDRAN Advocate SR.No.1569

ORDER IN

CRL OP(MD) No.225 of 2015

Date :12/01/2015

PBK 19/01/2015 ::2P-6C:

PBK 17/02/2015 ::2P-6C: