



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

Tuesday, the Twenty Seventh day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.17872 of 2016

1 KESAVAN
2 RAMESH
3 NAGA VAIRAVAN

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SHOLAVANDAN POLICE STATION,
MADURAI DISTRICT,
CRIME NO. 302 OF 2016. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioners, who are arrayed as Accused, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Section 'accidental fall' altered into Section 304 (II) IPC, in Crime No.302 of 2016 on the file of the respondent police.

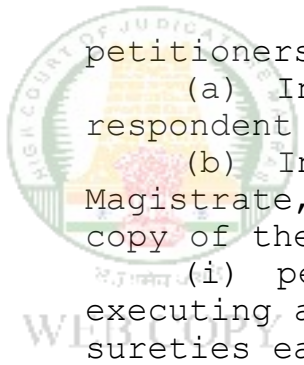
2.The case of the prosecution is that on 25.08.2016 when the son of the defacto complainant was in the night shift, which was owned by the petitioners 1 and 2/company, he fell into the boiler blow down bit and thereby sustained burn injuries and he died on 30.08.2016.

3.The learned counsel for the petitioners submits that the petitioners 1 and 2 are the Director of the company namely 'Krishna Tube Company' and the third petitioner is the supervisor of the said company and though there are sufficient safety measures, the occurrence has taken place out of control solely on the negligence of the deceased during his duty time and the petitioners 1 and 2 have spent nearly Rs.2,00,000/- towards treatment and other incidental expenses for the deceased.

4.Heard the learned Government Advocate (Crl. Side).

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

5.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the



petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial Magistrate, Vadipatti, within 15 days from the date of receipt of copy of the order,

(i) petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required.

sd/-

27/09/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VADIPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
SHOLAVANDAN POLICE STATION, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.SATHISH BABU Advocate SR.No.55998

PS

CSL/PV/SAR-III/05.10.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.17872 of 2016

Date :27/09/2016