

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39192 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India challenging the registration of Crime No.82 of 2016 for the offence under Section 304 (ii) IPC against him.
2. Heard and perused the material available on record.
3. It is alleged that at the time of attending the repairs to the current motor by the husband of the 3rd respondent, the petitioner, who is lineman, is alleged to have restored the power supply, as a result of which, the husband of the 3rd respondent received electric shock and died. The grievance of the petitioner is that he has no authority to give line clearance.
4. The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, considering the grievance of the petitioner, without expressing any opinion on merits, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and he is also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the Station House Officer concerned, as surety for his future appearance as and when required.
5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 14th November, 2016
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