



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

Tuesday, the First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.10043 of 2017

MYTHILI

... PETITIONER / ACCUSED A-6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VALLAM POLICE STATION, THANJAVUR DISTRICT
(CRIME NO.221/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.C.RAMESH Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.6, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 279, 337, 304(A), 304(II) I.P.C., read with Section 174 and 177 of the Motor Vehicles Act, in Crime No.221 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant and his daughter were travelling in a bus, one TATA Ace Auto proceeded in front of the bus and the bus hit the Auto, as a result, his daughter died and several other sustained injuries including the petitioner.

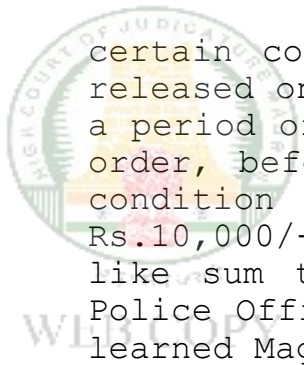
3.The learned counsel for the petitioner submitted that the petitioner is the owner of the TATA Ace vehicle and the driver, who was driving the vehicle also died in the accident. Even according to the complainant, only the bus in which they were travelling dashed against the TATA Ace auto. He further submitted that the vehicle owned by the petitioner is no way connected with the accident. Apart from that the petitioner is only the owner of the vehicle and she is no way connected with the said accident and no liability is fixed on the petitioner for the above said accident.

4.I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. The learned Additional Public Prosecutor, on instructions, would submit that investigation is pending.

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

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with



certain conditions. 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, Thanjavur, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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/-

01/08/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
VALLAM POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.27748

ORDER

IN

CRL OP(MD) No.10043 of 2017

Date :01/08/2017