



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.17993 of 2017

RAVIKUMAR

... PETITIONER/2nd ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.415 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.VEERA KATHIRAVAN, Senior Counsel
for VEERA ASSOCIATES.

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A2, who was arrested on 17.12.2017 and remanded to judicial custody on the same day for the offences punishable under Sections 279, 337 and 304(ii) IPC in Crime No.415 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the owner of a school vehicle and the driver of the said vehicle drove the same in a rash and negligent manner, thereby met with an accident, causing the death of three children and the daughter of the defacto complainant sustained grievous injuries, which resulted in registration of the present case.

3. The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case, as he, being a owner, is not responsible for the said occurrence and he is ready to abide by any conditions being imposed by this Court.

4. The learned Government Advocate (Crl.Side) has strongly objected to the grant of bail, contending that the investigation of the case is at the initial stage and if the petitioner/accused is let out on bail, there is every possibility of the accused tampering the witnesses/evidences and hampering the investigation.



5. Taking into consideration the serious nature of the allegations levelled against this petitioner; that the submission of the learned counsel for the petitioner that the driver of the vehicle caused such an accident, in which, the petitioner has no role to play, cannot be accepted; that the defacto complainant was a party before the Lower Court and has not been purposely added in this petition and also the fact that the investigation of the case is in progress, this Court is not inclined to grant the relief as prayed for by the petitioner.

6. In the result, this Criminal Original Petition stands dismissed accordingly. It is made clear that in the event of the petitioner filing yet another bail petition, he has to implead the defacto complainant as party to the petition and further orders will be passed thereon only after notice to the defacto complainant.

sd/-
28/12/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION, TRICHY DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.17993 of 2017
Date :28/12/2017

ar
SH/CM-VR/SAR-2:03.01.2018:2p/4c