



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

Monday, the Twentieth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.3142 of 2017

SIVAKUMAR

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THUVARANKURICHI POLICE STATION,
TRICHIRAPPALLI DISTRICT
CRIME NO.45/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.KANDHA VADIVELAN Advocate

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

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

ORDER : The Court Made the following order :-

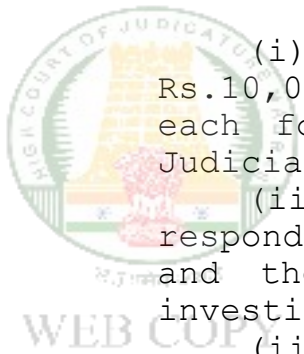
The petitioner/accused, who surrendered on 14.02.2017 for the offences punishable under Section 304(ii) of I.P.C., in Crime No.45 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 14.02.2017, when the petitioner was driving the vehicle namely van, he hit a two wheeler and the two wheeler rider and also pillion rider were fell down and succumbed to injuries.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he did not commit any offence as alleged by the prosecution. He further submitted that it is a pure case of motor accident and a false case was foisted against the petitioner.

4. The learned Government Advocate (Crl.side) submits that the investigation is pending and this the second bail petition and the earlier bail petition of the petitioner was dismissed for default.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:



(i) 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 learned Judicial Magistrate, Manapparai, Trichirappalli.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders and the petitioner is directed to co-operate with the investigation.

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-

20/03/2017

/ TRUE COPY /

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

JIKR/CP
TO

- 1 THE JUDICIAL MAGISTRATE
MANAPPARAI, TRICHIRAPPALLI
- 2 THE CHIEF JUDICIAL MAGISTRATE
TRICHIRAPPALLI DISTRICT
- 3 THE INSPECTOR OF POLICE
THUVARANKURICHI POLICE STATION,
TRICHIRAPPALLI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 5 THE OFFICER INCHARGE, SUB JAIL, MANAPPARAI

+1. CC to M/S.G.KANDHA VADIVELAN Advocate SR.No.15946
GJM/CM/MSA/SAR-3/20.3.2017/2P-7C

ORDER

IN

CRL OP(MD) No.3142 of 2017

Date :20/03/2017