



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

Tuesday, the Sixth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.6648 of 2017

S.ABUBAKAR

... PETITIONER/ACCUSED NO.I

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
SILAIMAN POLICE STATION,
MADURAI,
CRIME NO.269/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.KARNAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

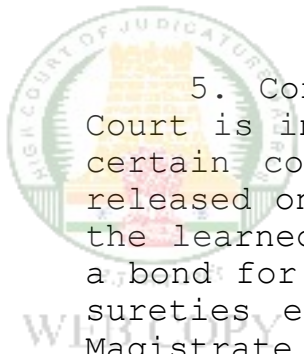
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 in Crime No.269 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 337 @ 304(i) IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The learned counsel for the petitioner submitted that while constructing the house of the petitioner, the deceased fell down, sustained injuries and after three days, succumbed to the injuries. He would further submit that the petitioner did not engage the deceased as labour and he has given contract for construction of the house. Due to the negligence of the deceased, the said accident has occurred, for which the petitioner cannot be responsible. The petitioner is innocent. He has not committed any offence as alleged in the complaint. He has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent / Police submitted that due to the failure of the petitioner to provide safety measure, the accident has occurred and the deceased succumbed to the injuries and that the investigation is pending.



5. 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 before the learned Judicial Magistrate No.II, Madurai and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand automatically dismissed.

sd/-
06/06/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.G.KARNAN Advocate SR.No.23353

GCG
CSL/PM-PN/SAR-I/12.06.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.6648 of 2017
Date :06/06/2017