



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

Friday, the Fourteenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16493 of 2018

MATHIYALAGAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
(IN CR NO. 208 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.SANJAY, Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 01.09.2018 for the offences punishable under Section 304 (2) IPC in Crime No.208 of 2018 on the file of the respondent police. He seeks bail.

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

3.The case of the prosecution is that the deceased was working under the Tamil Nadu Electricity Board as temporary basis. On 01.09.2018, the deceased went to Maviduthikottai Village and repair the electric post along with A2. At that time, the petitioner/A1 switched on the transformer. Therefore, he was electrocuted and died on the spot. Hence, the complaint.

4.The learned counsel for the petitioner would submit that the petitioner is the owner of the land and without knowing that the repair work was being done by the deceased, he switched on the transformer. Further, he submitted that A2 was standing near there and he did not informed the same to the petitioner. Hence, he prays for grant of bail to the petitioner.



5.The learned Additional Public Prosecutor submitted that investigation is pending.

6.Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, 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, Devakottai.

(ii)the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required;

sd/-
14/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI.
 - 2 -DO- THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
 - 4 THE OFFICER INCHARGE,
SUB JAIL, PUDUKKOTTAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.M.SANJAY Advocate SR.No.17525

ORDER
IN
CRL OP(MD) No.16493 of 2018
Date :14/09/2018