



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) Nos.18335 and 18627 of 2018

G.S.KRISHNAMOORTHY

... PETITIONER/ ACCUSED No. 2
IN CRL OP(MD) No.18335

B.SELVAMANI

... PETITIONER/ ACCUSED No. 1
IN CRL OP(MD) No.18627

Vs

THE SUB INSPECTOR OF POLICE
TALUK POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.219 of 2018

... RESPONDENT/ COMPLAINANT
IN CRL OP(MD) No.18335

STATE REP. BY
THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.219 of 2018

... RESPONDENT
IN CRL OP(MD) No.18627

For Petitioner : MR.S.SELVAKUMAR Advocate
IN CRL OP(MD) No.18335

MR.S.PREMKUMAR Advocate
IN CRL OP(MD) No.18627

For Respondent : MRS.M.ANANTHA DEVI, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

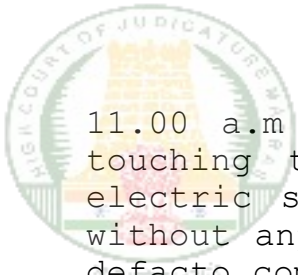
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174 @ 304(ii) I.P.C, in Crime No.219 of 2018, seek anticipatory bail.

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

2.The case of the prosecution is that on 13.09.2018 at about



11.00 a.m the deceased went to his agricultural field and after touching the fencing of the petitioners' land, he died due to electric shock. Further, it is alleged that the fencing installed without any permission and also with high voltage. Due to that, the defacto complainant's husband was died. Hence, the complaint.

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3. The learned counsel appearing for the petitioners would submit that the deceased never died of electrocution in petitioners' land. The electric fencing in petitioners' land is erected after obtaining proper permission from the authorities concerned and only has the capacity of 12 V power to scare off the wild animals. 12 V electric supply is only equivalent to a battery of a torch light and can never electrocute a human being. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.

5. It is seen from the report of Crown Power Fencing System, the voltage is only 12 volt DC. Unfortunately, the deceased died due to electric shock. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sattur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners 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 dismissed.

sd/-
29/10/2018

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

TO

1 THE JUDICIAL MAGISTRATE, SATTUR

<https://hcservices.ecourts.gov.in/hcservices/>
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR



3 THE SUB INSPECTOR OF POLICE
TALUK POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.

4 THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.S.SELVAKUMAR Advocate SR.No. 20762

+1. CC to MR.S.PREMKUMAR Advocate SR.No.20525

ORDER
IN
CRL OP (MD) Nos.18335 and
18627 of 2018
Date :29/10/2018

MSI/JC/SAR-IV/01.11.2018-3P/8C