



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

Friday, the Twenty Fifth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.665 of 2019

V.VEERAPATHRA RAV,

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
VIRALIMALAI POLICE STATION,
PUDUKOTTAI DISTRICT.
(CR.NO.402/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.SADIQ RAJA Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 12.12.2018 for the offences punishable under Sections 279, 337 and 304(A) of IPC @ Section 279, 337, 304(2) of IPC read with Section 185 of Motor Vehicles Act, in Crime No.402 of 2018 on the file of the respondent police and seeks bail.

2. The case of the prosecution is that on 12.12.2018 at about 02.00 O'clock from Madurai-Trichy High Road, near Thanneerpanthalpatty, the petitioner drove the vehicle bearing registration No.AP23 Y 6345 named Gopi Krishna with drunken mood and rash and negligent manner and the vehicle was fell down in the pit and all the passengers were travelled in the said vehicle, who were went to Srisabarimalai Ayyappan Temple for worshipping the Goddess and that one Sooriyavathi was died on the spot and 31 others were sustained injuries.

3.The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence.



4. The learned Government Advocate(Crl.Side) would submit that the petitioner herein drove the vehicle in a drunken mood and caused injuries to 31 persons and one died on the spot.

5. Considering the above facts and circumstances and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate, Keeranur, and on further condition that:

[a] 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 for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 learned 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]**.

[e] If the accused thereafter absconds, a fresh FIR Can be registered under Section 229 A IPC.

sd/-
25/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, KEERANUR.

2 TO THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.



3 THE SUB INSPECTOR OF POLICE
VIRALIMALAI POLICE STATION, PUDUKOTTAI
DISTRICT.

4 THE SUB JAIL, PUDUKOTTAI.

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

+1. CC to M/S.D.SADIQ RAJA Advocate SR.No.1455

ORDER
IN
CRL OP(MD) No.665 of 2019
Date :25/01/2019

TR/PS/SAR-III (25.01.2019) 7C 3P