

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8033 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-2 seeking to grant anticipatory bail in the event of his arrest in Crime No.104 of 2019 on the file of Tadvai Police Station, Kamareddy District, registered for the offence punishable under Section 304-II read with Section 34 IPC.

2. Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him; that he has been falsely implicated in the present case; that at the time of incident, the petitioner was not present at the spot; that on the instructions of the Contractor, the deceased and others were working on the site; that when the contractor informed about the incident to the petitioner, the petitioner immediately rushed to the spot; and that the Police have falsely implicated the petitioner because it comes under the duty area of the petitioner. Learned counsel further submitted that the petitioner is a law abiding citizen and never involved in any offence; that the petitioner hails from a respectable middle class family having good reputation in the society; that he is an employee working in Electricity Department and is having permanent

abode; and that the petitioner is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

4. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

5. As seen from the contents of the F.I.R., while the driver was lifting the current pole which was held by one Sentu Alam, Labourer, (the deceased) with the help of drilling machine for installing it, the drilling machine's ceiling wire came into contact with the 11 KV wire, as a result of which, the deceased who was holding the said electric pole got electrocution and died on the spot. Thus, the said incident occurred as a result of negligence on the part of the petitioner, who is a lineman. Therefore, looking into the nature of the allegations levelled against the petitioner and the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

6. The Criminal Petition is accordingly dismissed.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

JUSTICE G.SRI DEVI

17th December, 2019
dr