



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twelfth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13936 of 2021

SIVAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,
MAGUDANCHAVADI POLICE STATION,
SALEM DISTRICT.
CRIME.NO. 279/2021

For Petitioner : M/S. R.JAYAPRAKASH Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 11.07.2021 and remanded to judicial custody for the offences under Sections 336 of IPC altered to Section 304(2) of IPC, 1860 read with Section 15(3) & 15(2)(b) of the Indian Medical Council Act, in Crime No.279 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased is the brother of the defacto complainant. On 30.06.2021 at about 7.00 p.m., the deceased was suffering from stomach pain, so the defacto complainant took his brother to the petitioner, he also gave treatment to the defacto complainant's brother. On 01.07.2021 at about 7.30. p.m., since there was no feeling in the defacto complainant's brother leg, the petitioner injected him, then he was admitted in E.Kattur Government Hospital, there first aid was given to him, then he was shifted to Salem Government Hospital, then he became serious. Subsequently, due to wrong treatment given by the petitioner, the defacto complainant's brother died. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has



been falsely implicated in this case and the petitioner has been in jail from 11.07.2021. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case pending as against the petitioner. He further submit that the petitioner has involved in very serious offence. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner has involved in very serious offence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
12/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
MAGUDANCHAVADI POLICE STATION,
SALEM DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. R.JAYAPRAKASH Advocate on payment of necessary charges SR.NO. 8486

CRL OP.13936/2021

Date :12/08/2021

INBA 02/09/2021