



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Tenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.4563 of 2022

1 GOVINDARAJ
2 SANTHOSH KUMAR

[PETITIONERS / ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
MARANDAHALLI POLICE STATION,
DHARMAPURI DISTRICT.
(CRIME NO. 368 OF 2021)

[RESPONDENT]

For Petitioner : M/S B.SUNDARAPANDIYAN Advocate

For Respondent : M/S.L.BASKARAN, Government Advocate (Crl.Side)

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 offence punishable under Section 174 Cr.P.C altered into 304 (ii) of IPC, in Crime No.368 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners gave heavy dose pain killer to the defacto complainant's son. Subsequently, he was admitted in Government Hospital, Marandahalli and died. Hence the complainant.

3.The learned counsel for the petitioners submitted that the first petitioner is the owner of the medical shop and the second petitioner is working in the said medical shop. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of bail to the petitioners.



4.The learned Government Advocate (Crl. Side) raised objection stating that on the date of alleged occurrence second petitioner gave a wrong medicine to the defacto complainant's son and also some injection, within an hour, which resulted in unconscious and died. He further submitted that due to the absconding of the petitioners there is no progress in the investigation. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. As per FIR allegation the defacto complainant's son was died due to the wrong medicine given by the petitioner.

6. Considering the above facts, if the petitioners released on bail they may tamper the evidence, this court is not inclined to grant bail to the petitioner.

7.Accordingly, this criminal original petition is dismissed.

-sd/-

10/03/2022

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,
MARANDAHALLI POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S B.SUNDARAPANDIYAN Advocate on payment of necessary charges

CRL OP.4563/2022

Date :10/03/2022

RW 22/03/2022