



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/05/2022
PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8724 of 2022

A.Sengole ... Petitioner/Accused NO.I

Vs

The State represented by
The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(In Crime No.45/2020).

... Respondent/Complainant

For Petitioner : M/s.Anandakumar.N,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.45 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, apprehending arrest at the hands of the respondent police for the offences punishable under sections 280 and 304(ii) of I.P.C, in Crime No.45 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The occurrence seems to be an accident and that had occurred in the sea, whereby the defacto complainant's son had expired. The petitioner herein is now implicated for the negligence. Admittedly, the petitioner was the driver of the boat and non providing of the safety measures like safety jacket, cannot be directly attributed to the petitioner. However, all these aspects are subject to investigation.

4.In view of the limited responsibility of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

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

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

[e] 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]**.

sd/-

06/05/2022

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVADANAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

WEB COPY

ORDER

IN

CRL OP(MD) No.8724 of 2022

Date :06/05/2022

SS/VR/SAR:II/09.05.2022 : 3P/5C