



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

Date : 01/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9768 of 2022

Vijayakumar

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
Cr. No. 192/2022.

... Respondent/Complainant

For Petitioner : M/s.Muthukrishnan S,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

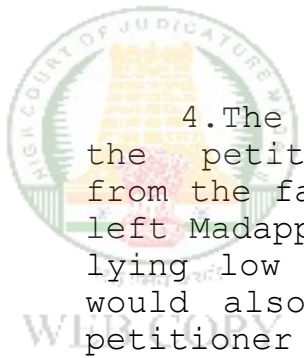
For Bail in Crime No. 192 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 10.05.2022 for the offences punishable under Section 304(2) of IPC in Crime No.192 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner who is the driver of the vehicle loaded sugarcane from the farm and drove the vehicle negligently and when the vehicle left Madappan farm, the deceased touched the electric wire which was lying low and due to the electric shock he died on the spot. Hence the present case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the petitioner is only the driver of the lorry and he is no way connected with the said crime. He would also submit that the petitioner is in judicial custody from 11.05.2022, hence, he seeks bail.



4.The learned Additional Public Prosecutor would submit that the petitioner who is the driver of the vehicle loaded sugarcane from the farm and drove the vehicle negligently and when the vehicle left Madappan farm, the deceased touched the electric wire which was lying low and due to the electric shock he died on the spot. He would also submit that no previous case is pending against the petitioner and the investigation is almost completed.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is only driver of the lorry and taking into consideration the period of incarceration and also the fact that the investigation is almost completed, this Court is inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 learned Judicial Magistrate, Sivagiri, Tenkasi District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
01/06/2022

/ TRUE COPY /

01/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
SIVAGIRI, TENKASI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE OFFICER-INCHARGE,
SUB JAIL, SANKARANKOIL.
4. THE INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TENKASI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MUTHUKRISHNAN, Advocate (SR-5108[I] dated 01/06/2022)

ORDER IN
CRL OP(MD) No.9768 of 2022
Date :01/06/2022

aav

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