



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

Date : 06/07/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12151 of 2022

1. Michael Selvan
2. Mathankumar
3. Arul Samuvel Pandiyan

... Petitioners/Accused
Rank Not Known

Vs

The State Rep. By,
The Sub Inspector of Police,
Munneerpallam Police Station,
Munneerpallam,
Tirunelveli District.
Crime No.128 of 2022.

.. Respondent/Complainant

For Petitioners : Mr.Palani Velayutham S,
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.128 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 336, 304 and 304(A) I.P.C. in Crime No.128 of 2022 on the file of the respondent police.

2.Perusal of record shows that while perusing orders in Crl.O.P.(MD) No.10212 of 2022, the Coordinate Bench of this Court, while considering the bail application that was filed by A9, has observed that in respect of the aforesaid occurrence, the owner of the quarry has paid compensation amount of Rs.15,00,000/- to the family of the deceased apart from the amount of Rs.3,00,000/-, which was paid to the injured. On that basis, the petitioner was granted bail.



3. Following the same order, this Court in Crl No.11019, 11459 and 11460 of 2022, the co-accused were granted bail and this petitioners are also standing on the very same footing.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the 1st petitioner is the Assistant Manager, 2nd petitioner is the Manager and the 3rd petitioner is the Contractor for digging hole in the quarry.

5. The learned counsel for the petitioners submits that the petitioners are noway connected with the aforesaid occurrence. Since the petitioners 1 and 2 are the Managers, who are responsible for the day-to-day affairs of the aforesaid occurrence, their involvement can be founded only during the course of investigation, since they are also standing on the very same footing of the co-accused.

6. Considering the fact that the co-accused have been granted bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.V, Tirunelveli District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

06/07/2022

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/07/2022

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1. THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
MUNNEERPALLAM POLICE STATION,
MUNNEERPALLAM,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.PALANIVELAYUTHAM, Advocate (SR-6704[I] dated
06/07/2022)

ORDER
IN
CRL OP(MD) No.12151 of 2022
Date :06/07/2022

MM
USK/JM/SAR-I/20.07.2022/3P/6C