



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 02/09/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**  
**CRL OP (MD) . No.13478 of 2022**

WEB COPY

1. Venkateshwar @ Venkatesh
2. Vigneshwar @ Vignesh

... 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 : M/s.PALANI VELAYUTHAM.S,  
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,  
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, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 336, 304 and 304(A) of IPC, in Crime No.128 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 14.05.2022, at about 11.00 p.m, the defacto complainant and his colleagues were engaged in quarry operation in the property, which belongs to the father of the co-accused. At that time, a large stone was moved and rolled into the pit. Due to which, the defacto complainant and 6 others trapped under the stone and some of the persons died. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that this Court has already granted bail to the co-accused in Crl.O.P (MD).Nos.10212 and 11019 of 2022.

4.Heard the learned Government Advocate (Crl.Side) appearing for the respondent police.

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5. Considering the facts and circumstances of the case, the Court is inclined to grant anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate No.V, Tirunelveli District, and on their executing 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 petitioner shall appear before the respondent police on every Sunday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-

02/09/2022

/ TRUE COPY /

/09/2022

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 concerned.

**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 PALANI VELAYUTHAM.S Advocate SR.No.9697**

**ORDER IN**

CRL OP(MD) No.13478 of 2022

Date : 02/09/2022

TTA

SA/SVR/SAR.1/16.09.2022/2P/6C

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