



WEB COPY

CRL OP(MD). N



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

Date : 11/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.20023 of 2022

Arivanantham

... Petitioner/Accused

Vs

The State represented by
The Sub Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
in Crime No.193/2022.

... Respondent/Complainant

For Petitioner : M/s.Sukumar B,
Advocate.

For Respondent : Mr.M.Veeranthiran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.193/2022 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of
the respondent police for the offence under Section 174 Cr.P.C. @
304 IPC in Crime No.193 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant
is the father of the deceased Ayyanan. On 01.11.2022 at about 06.00
a.m., when the deceased was working in the petitioner's garden,
accidently he touched the E.B. wire, due to which, he was attacked
by the supply of E.B. wire and as a consequence, he died. Hence, the
complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has not committed any offence as
alleged by the prosecution. He would further submit that the
deceased Ayyanan has not worked in the petitioner's garden and he

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trespassed into the petitioner's garden and tried to theft wire, due to the electric power supply, he was died. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that when the deceased was working in the petitioner's garden, accidentally he touched the E.B. wire, due to which, he was attacked by the supply of E.B. wire and as a consequence, he died. The petitioner is having no previous case. Five witnesses have been examined and the post-mortem report is yet to be received and the investigation is not yet completed. Hence, he prayed for dismissal of this petition.

5.Considering the facts and circumstances of the case and also considering the facts that the post-mortem report is yet to be received and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/11/2022

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/11/2022

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

sjj

TO

1. The Sub Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.SUKUMAR B Advocate SR.No.12879

ORDER

IN

CRL OP(MD) No.20023 of 2022

Date :11/11/2022

SS/SSS/SAR III/17.11.2022/ 2P/ 4C