



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/07/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13055 of 2023

Madasamy @ Rajan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Serndhamaram Police Station,
Tirunelveli District.
Crime No.119 of 2023.

... Respondent/Complainant

For Petitioner : Mr.P.M.VISHNUVARTHANAN, Advocate

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.119 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /Accused, who was arrested on 28.06.2023 for the alleged offence under Section 174 Cr.P.C. @ 304 IPC, in Crime No.119 of 2023, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the son of the defacto complainant was working as Electrician and on 23.06.2023, the petitioner called the defacto complainant's son over phone to attend street light fault, during which, the son of the defacto complainant got electric shock, fall down, sustained head injury, he was taken to the hospital and the Doctor declared as dead before arrival to the hospital. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he is no way connected in this case. The petitioner is in custody from 28.06.2023. Hence, prays to release him on bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that though the petitioner is not having any previous case at his credit.



5. On perusal of CD file shows that this petitioner engaged the son of defacto complainant for attending the work in the post, due to power cut. There is an allegation to the effect that without proper safety measures to do the work, the petitioner has engaged the deceased person. Reading of the CD file, does not indicate the petitioner asked the deceased to do the above said work without precautionary measures. The deceased used to attend the work, since he was working as Electrician by profession.

6. Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, Tenkasi**, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

18/07/2023

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18/07/2023

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

INDU

TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTTAI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
SERNDHAMARAM POLICE STATION, TIRUNELVELI DISTRICT.

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

+1 cc to Mr.P.M.VISHNUVARTHANAN, Advocate, SR.No.10927 Dt.19/7/23

ORDER IN

CRL OP(MD) No.13055 of 2023
Date :18/07/2023

SA/VR/SAR. /18.07.2023/2P/6C

<https://www.mhc.tn.gov.in/judis>