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CrI.O.P.No.8454 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 304(A) @ 304(A)(ii) IPC in Crime No. 137 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner is owner of a house site and he contracted the second petitioner to construct house on the land and on 19.03.2024 at about 9.45 a.m., a labour namely Tutul Sekh was moving iron rods from first floor to second floor and he came in contact with High Tension Electrical Cables and got electrocuted and died on the spot. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the victim died due to his own negligence not because of the petitioners.. However, on instructions, the learned counsel further submitted that the



petitioner, without prejudice their rights, on their own volition, they are ready and willing to pay some amount to the victim as imposed by this Court. Learned counsel prays to grant anticipatory bail to the petitioner.

4. Heard both sides.

5. Considering the facts and circumstances of the case and also the fact that investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Ambattur, on condition that the petitioner 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the petitioners are directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakhs only) to the credit of crime No. 137 of 2024 within a period of two weeks from the date of receipt of copy of this order and the victim's wife is permitted to withdraw the same. Further, the learned Judicial Magistrate, shall accept the sureties furnished by the petitioner after perusing the challan/receipt.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to report before the respondent police on every Sunday at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.



[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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