



Crl.OP.No.28696 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.203 of 2023 registered by the respondent police for the offences punishable under Section 304(2) of IPC and 135(1)(a), 135(1)(e) of Electricity Act, seeks anticipatory bail .

2. It is the case of the prosecution that on 23.10.2023, when the deceased was irrigating the land belonging to the petitioner, he got electric shock and died on the same day. It is contended that the petitioner had given an electric connection without any prior permission.

3. Learned counsel for the petitioner however disputed that particular fact and denied that the connection was illegal. They are aspects to be addressed during the course of trial. It is stated that the petitioner however had spent substantial amount towards the funeral of the deceased and additionally had paid a sum of Rs.1,00,000/- as interim



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compensation to the family members of the deceased.

4. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned District Munsif-Cum-Judicial Magistrate, Veppanthattai* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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]**.

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

6. It is made clear that the compensation of Rs.1,00,000/- or the amounts spent towards funeral are only interim compensation and the family members of the deceased are at liberty to seek further



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compensation in the manner known to law.

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7. With the above directions, this Criminal Original Petition is ordered.

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