



CRL OP(MD). No.20863 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Mangayarkarasi

... Petitioner / Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Somarasampet Police Station,
Tiruchirappalli District.
(Crime No.8 of 2023)

... Respondent/Complainant

For Petitioner : Mr.K.Saravanakumar, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 8 of 2023 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 174 of CrPC altered as Section 304(II) of IPC, in Crime No.8 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working as a nurse in a private hospital. On 08.01.2023, the deceased was brought to the hospital by the defacto complainant since the deceased was indisposed. The petitioner who was the nurse is said to have administered ceftriaxone 500 mg injection. The deceased became unwell and fell down and was rushed to the KMC hospital. The doctors declared that the deceased was brought dead. Hence, the allegation against the petitioner is that there was medical negligence resulting in the demise of the deceased.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and the manner in which this incident had taken place, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which



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the order copy made ready, before the learned Judicial Magistrate Level - Additional Mahila Court, Tiruchirappalli, on condition that the petitioner shall execute a 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 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
29/11/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

To

1.The Judge,
Judicial Magistrate Level,
Additional Mahila Court,
Tiruchirappalli.

2.Do through the Chief Judicial Magistrate,
Tiruchirappalli District.

3.The Inspector of Police,
Somarasampet Police Station,
Tiruchirappalli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.SARAVANAKUMAR, Advocate (SR-14706[I] dated 29/11/2024)



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ORDER

IN

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Date :29/11/2024

ED/ GSV /SAR- (05/12/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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