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CrI.O.P.No.3229 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3229 of 2025

DEVANBU

S/o. Samuvel, No.58, Bajanai Kovil Street, Mettu
Colony, Nagavedu, Vellore District.

Petitioner(s)

Vs

State Rep By, Inspector Of Police,
R.K.Pet Police Station, Tiruvallur District.

Cr.No.37 Of 2025.

Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.37 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s. P.Krishnan

For Respondent : Mr. A. Gopinath
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking bail in respect of Crime No.37 of 2025 registered for the alleged offence punishable under Section 105 of BNS is on board for consideration.



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2. The case of the prosecution is that the son of the *de facto* complainant, in the morning on 24.01.2025, was attending defects in a transformer near Periyaramapuram Kannaiaamma temple. While so, he suffered electric shock and later died of the same. Further, the case of the prosecution is that the petitioner, being a government employee, *viz.*, staff of Tamil Nadu Electricity Board had failed to ensure that one of the electric lines to the aforesaid transformer was disconnected and hence, the FIR.

3. The learned counsel appearing for the petitioner submits that the it was purely an accident due to sudden outflow of direct current and also due to technical snag in the Electricity Board petitioner has been falsely implicated in this case and the petitioner is ready to abide by any stringent condition that may be imposed by this Court, he would also co-operate for the investigation and hence, prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the *de facto* complainant's son was a contractor in the Electricity Board and on 24.01.2024, he was called to attend fault in the transformer at Periyaramapuram village, while he attended the



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fault, he sustained current shock and was thrown away and died. The petitioner and other foreman failed to ensure that all lines to the aforesaid transfer was cut due to which the contractor died. Hence, should not be granted bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) for the respondent Police and also perused the materials available on record.

6. Taking into consideration the nature of offence the petitioner is charged against and the submissions made by the learned counsels on either side and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Pallipet** and on further conditions



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that:
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[a] 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 everyday at 10:30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 269 of B.N.S.



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To

1. The District Munsif cum Judicial Magistrate, Pallipet
2. The State Rep By, Inspector Of Police,
R.K.Pet Police Station, Tiruvallur District.
Cr.No.37 Of 2025.
3. The Superintendent,
Sub Jail, Thiruthani
4. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN, J.

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