



Crl.O.P.No.3688 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3688 of 2025

Kamalapuram Sampath

Petitioner(s)

Vs

State Rep By,
The Inspector Of Police,
R.K. Pet Police Station,
Tiruvallur District.
Cr.No.37 Of 2025.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased 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(s) : M.P.Rajavelayutham

For Respondent(s): Public Prosecutor



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ORDER

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Petition seeking bail in respect of Crime No.37 of 2025 registered for the alleged offences punishable under Section 105 of BNS, is on board for consideration.

2. The case of the prosecution is that on 24.01.2025, the defacto complainant's son, who is a contractor in the Electricity Board was called to attend the wire fault at SS-III 100 KV alternator at Periyaramapuram Village; that while he was attending the fault, sustained electric shock and died; that it is further alleged that the petitioner along with other accused, who are the staff of Tamil Nadu Electricity Board had failed to ensure, whether the aforesaid alternator was disconnected from electric lines. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and remanded to judicial custody on 25.01.2025; that the accident was due to sudden outflow of direct current and also due to technical snag; that the co-accused was arrested and released on bail by this Court vide order dated



07.02.2025 in Crl.O.P.No.3229 of 2025; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the petitioner and other accused had failed to ensure that all electric lines to the alternator, which was inspected by the deceased were disconnected; and that the investigation is pending, hence opposed for the bail to the petitioner.

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

6. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side, considering the period of



incarceration undergone by the petitioner, the fact that the co-accused was arrested and released on bail and since, further custody of the petitioner is not required for the purpose of investigation, 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 Judicial Magistrate, Pallipattu, Thiruvallur District** and on further conditions that:

[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



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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.

12.02.2025

stn

To

1. The Judicial Magistrate, Pallipattu,
Tiruvallur District.
2. The Inspector Of Police,
R.K. Pet Police Station,
Tiruvallur District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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