



WEB COPY

CRL OP No. 9490 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9490 of 2026

Siva Kumar

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Chinnasalem - Station
Kallakurichi District.
(Crime No. Not known of 2026)

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of his arrest in Crime No. Not known of 2026 pending investigation on the file of the Respondent.

For Petitioner(s):	Mr.Ranjith Kumar
For Respondent(s):	Mr.P.Dhileepan
	Government Advocate (Criminal side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 126 (b) and 118 (1) of BNS , 2023 @ 125 (b) of BNS, 2023 in Crime No.105 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as a Foreman in TNEB. The petitioner allegedly instigated the defacto-complainant's son,a contractual employee to climb an electrical post. The petitioner reportedly directed him to remove the wire enabling the chariot to move freely, unaware of the live current. Consequently, the victim was electrocuted, fell from the post and died on the spot. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further states that the occurrence took place on 01.04.2026 and there is no negligence on the part of the petitioner. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed this petition on the ground that the petitioner while serving as a foreman instigated the defacto-complainant's son to climb an electrical post to move a wire and allow a chariot to pass. Due to which he fell from the post and died on the spot. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. Though there is an allegation against this petitioner in respect of his negligence, this Court is of the firm view that except the above allegation there is no serious motive found from the submissions made by the learned Government Advocate. Considering the totality of the circumstances, the petitioner being a Government Employee and the fact that the occurrence took place on 01.04.2026, custodial interrogation of the petitioner is not necessary at this length of time. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Chinnasalem**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent Police daily Morning at 10.30 am and Evening at 5.30 pm. for a period of fifteen days; thereafter as and when required;**

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



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C.KUMARAPPAN, J.

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16-04-2026

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To

1.The District Munsif cum Judicial Magistrate,
Chinnasalem.

2.The Inspector of Police
Chinnasalem - Station
Kallakurichi District.

3..The Public Prosecutor
High Court of Madras.

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