

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Ninth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6362 of 2021

MADHESHWARAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE

PEERKANKARAI POLICE STATION,
CHENNAI.

CR.NO.114 OF 2021

[RESPONDENT]

For Petitioner : M/S.P.SUNDARA RAJAN Advocate

For Respondent : MR.K.PRABAKAR Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 341, 294(b), 323, 353 and 506(i) of IPC read with section 3 of T.N.M.S.P and Medical Service Institution Prevention of Violative and Damage and Loss to the Property Act, 2008 in Cr.No.114 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner who is working as an Ambulance Driver of Government Hospital. On 15.03.2021, when he was driving the ambulance near Perungalathur traffic signal, the car driven by the defacto complainant was suddenly stopped in front of the ambulance. Hence, the ambulance driven by the driver was dashed against the car and the defacto complainant sustained injuries. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and the defacto complainant sustained simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that injured person has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tambaram, 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 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 Court concerned 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. for a period of four 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

09/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
TAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

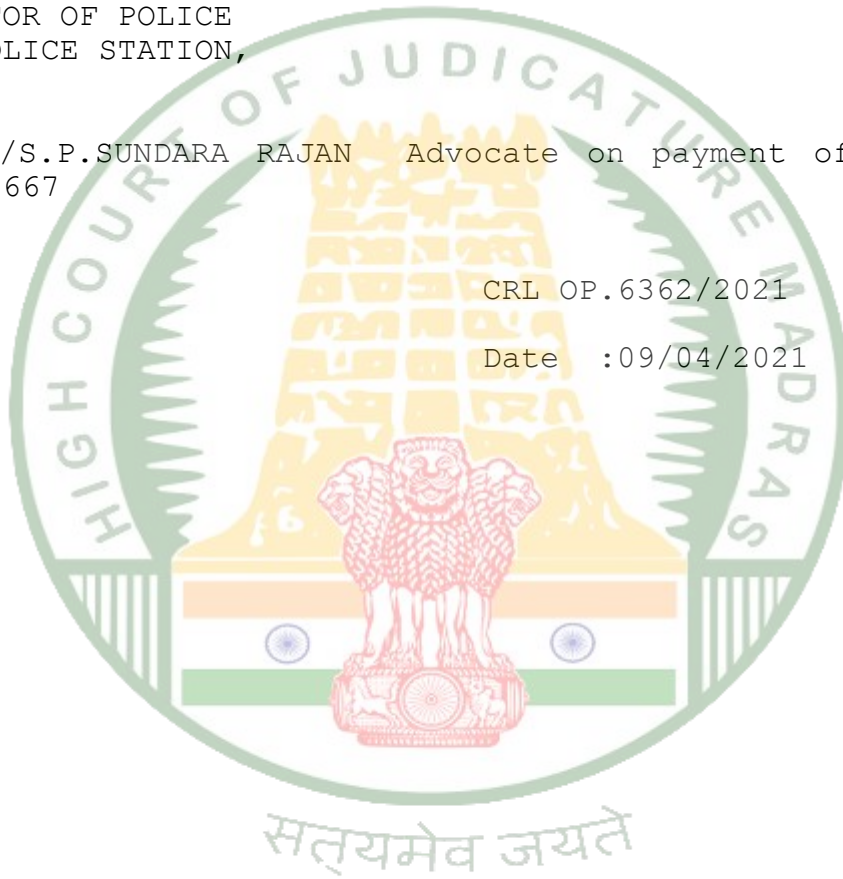
4 THE INSPECTOR OF POLICE
PEERKANKARAI POLICE STATION,
CHENNAI.

CC to M/S.P.SUNDARA RAJAN Advocate on payment of necessary
charges SR.NO.4667

CRL OP.6362/2021

Date :09/04/2021

RVR 22/04/2021



WEB COPY