

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty First day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7410 of 2021

SENTHIL SHANMUGANADHAN

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU, REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION WING,
GUINDY, CHENNAI.
CRIME NO.159 OF 2021.

For Petitioner : M/S. A. SUNDARAVADHANAN Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 211, 419, 420, 511 of IPC r/w Section 134(a), 134(b) of Motor Vehicles Act in Crime No.159 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that, the car bearing registration No.TN 09 AV 0677 involved in an accident near Sholinganallur. The said vehicle's registration stood in the name of the petitioner. Subsequently, the respondent Police arrested the petitioner's son and registered F.I.R. for the offence under Section 279 and 304(A) of IPC. He was arrested and released on 19.03.2021. When he was remanded to judicial custody, he confessed that the car was driven by him, but his father advised him that he will give his name as the person driven the vehicle at the time of accident. Hence, the respondent registered a case against this petitioner.

4.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide any condition as imposed by this Court and seeks for grant of anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor would submit that the petitioner's son had driven the car in a rash and negligent manner and caused accident. Based on the confession of the petitioner's son, the petitioner has been included as accused in this case.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Alandur, Chennai, within a period of 15 days from the date of receipt of a copy of this order, on executing a separate 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 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 daily at 10.30 a.m and 5.30 p.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 229-A IPC.

-sd/-

21/04/2021

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 NO.I,
ALANDUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

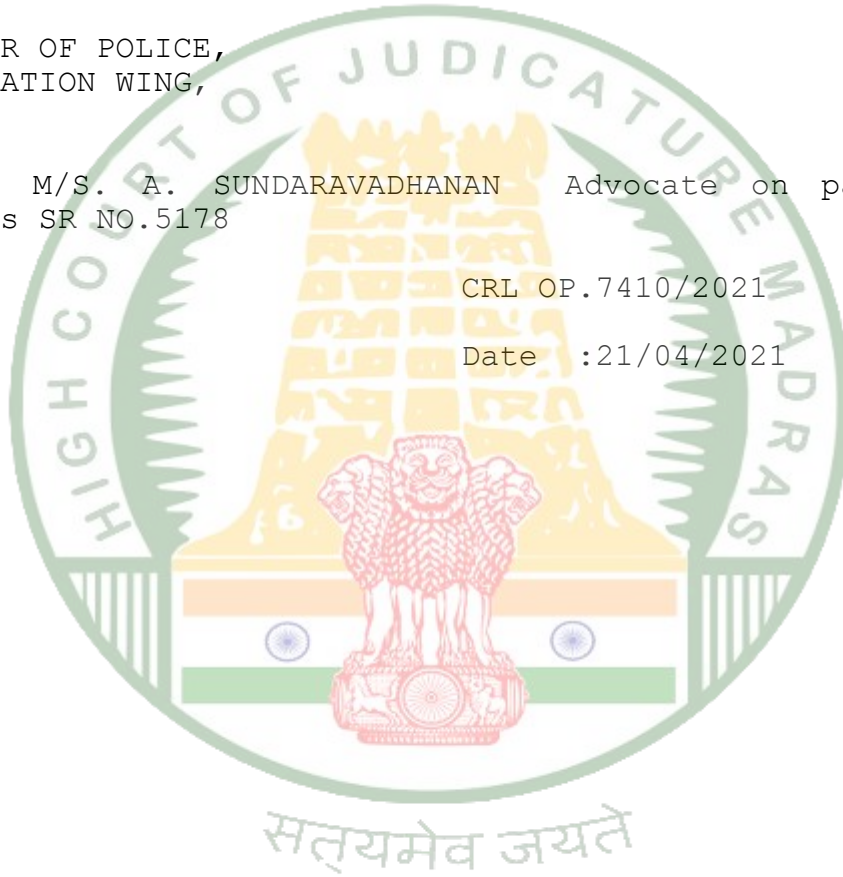
4 THE INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION WING,
GUINDY, CHENNAI.

+1CC to M/S. A. SUNDARAVADHANAN Advocate on payment of
necessary charges SR NO.5178

CRL OP.7410/2021

Date :21/04/2021

MK:29/04/2021



WEB COPY