



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.14634 of 2021

Ramajayam

... Petitioner

Vs.

The State Represent by
The Inspector of Police,
TIW GNT Madhavaram Police Station,
Chennai 600 051.
Crime No.242 of 2021.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in connection with the case in Cr.No. 242 of 2021 pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Saravanakumar

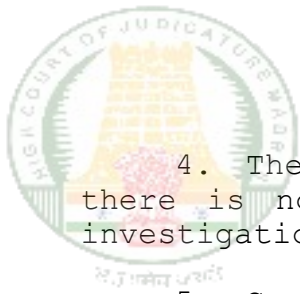
For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner, who was arrested on 25.06.2021 and remanded to judicial custody for the offence under Section 279, 304(ii) IPC in Cr.No.242 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner who is the contract Driver of the Corporation garbage vehicle/lorry, drove the vehicle in a drunkard state and hit the deceased namely, Murugan, aged about 50 years, who had ridden his two wheeler on his way in front of the lorry. The deceased had succumbed due to head injury and hence the accused was arrested by the respondent.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence and he has been falsely implicated in this case. Therefore, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that there is no previous case pending against the petitioner and the investigation is pending.

5. Considering the period of incarceration suffered by the petitioner and also the present COVID-19 pandemic situation and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Madhavarm, Chennai, and on further condition 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 is directed to appear before the respondent police daily morning at 10.30 am until further orders;

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

17/08/2021

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,
MADHAVARAM, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
TIW GNT MADHAVARAM POLICE STATION,
CHENNAI - 600 051.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

CC to M/S. M.SARAVANAKUMAR Advocate on payment of necessary
charges Sr.8668

CRL OP.14634/2021

Date :17/08/2021

RVR 18/08/2021