



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

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CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.21933 of 2021

Shashank Anand

..Petitioner

Vs.

State rep. By
The Inspector of Police,
J-2, Adyar Traffic Investigation Wing,
Chennai - 600 020.
Crime No.441 of 2021.

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner herein on bail in connection with Crime No.441 of 2021 on the file of the Inspector of Police, J-2, Adyar Traffic Investigation Wing, Chennai.

For Petitioner : Mr.S.Karthikeyan

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

The petitioners who were arrested and remanded to judicial custody on 28.09.2021 for the offences under **Sections 279, 337 (2 counts) and 308 of IPC and under Section 185 of the Motor Vehicles Act and under Section 3(1) of TN Public Property (Prevention of Damage & Loss) Act, 1992** in Crime No.441 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 09.11.2021 the petitioner drove his Honda Jazz car under the influence of alcohol in a rash and negligent manner and while coming near the intersection of L.B.Road and M.G.Road near Thiruvanmiyur, the petitioner dashed his car against two persons and also damaged the compound wall of the MTC Depot, Adyar. That the said accident caused fracture in the leg of the said persons suffered minor injuries. Hence this case.

3. The learned counsel for the petitioner would submit that the petitioner is a Chartered Foundation Course and his parents are reputed medical practitioners. He has no any previous incidents like this accident and he has been falsely implicated in this case. He further submitted that he was filed affidavit before the concerned



Magistrate with the parents of the petitioner. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the investigation is almost completed, since he has no previous case belonged to his family. However, he vehemently opposed to grant bail to the petitioner.

5. Considering all these facts, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (blood sureties i.e., parents), each for a like sum to the satisfaction of the **learned XVIII Metropolitan Magistrate at Saidapet, Chennai**, and on further conditions that:

(a) the sureties (blood sureties i.e., parents) 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, on every Wednesday at 10.30 a.m. until further orders and the sureties should file affidavit before the concerned Magistrate they would bear the medical expenses and this affidavit will not prevent the injured to claim M.C.O.P. compensation as per the Act.

(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**



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

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-sd/-
19/11/2021

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 METROPOLITAN MAGISTRATE,
NO.XVIII, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
J-2 ADYAR TRAFFIC INVESTIGATION WING,
CHENNAI-600 020.

5 THE OFFICER INCHARGE
SUB JAIL, SAIDAPET,

+1 CC to M/S S.KARTHIKEYAN Advocate on payment of necessary charges SR.NO.13047

CRL OP.21933/2021

Date :19/11/2021

TA-19/11/2021