



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Seventh day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2661 of 2022

R.VASANTHAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
VIKRAVANDI POLICE STATION,
VILLUPURAM DISTRICT.
CRIME NO.32/2022

[RESPONDENT]

For Petitioner : M/S S.ANBURAJA Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest for the alleged offences under sections 279 and 337 of IPC read with 4(1) (aa) and 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.32 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 14.01.2022 at about 5.30 a.m., the petitioner drove TATA Indico car bearing the registration No. TN-31-AA-9977 in a rash and negligent manner thereby hit the defacto complainant's father. It is further alleged that the petitioner escaped from the scene of occurrence and on checking the above said vehicle, 300 bottles of Pondicherry ID Arrack were found, each bottle contained 180 ML. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Criminal Side) appearing for the respondent submits that petitioner drove the car in a rash and negligent manner and hit the defacto complainant's father and 300 bottles of Pondicherry ID Arrack were found. He further submitted that he is still absconding and there is no previous case pending against this petitioner and also submitted that investigation almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5. In view of the above submissions made by the learned Counsels appearing for either sides, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Vikravandi, Villupuram District 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 his 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 10.00 a.m., 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 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/-

07/02/2022

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,
VIKARAVANDI, VILLUPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 INSPECTOR OF POLICE,
VIKRAVANDI POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S.ANBURAJA Advocate on payment of necessary charges
Sr.2026

CRL OP.2661/2022

Date :07/02/2022

RVR 15/02/2022