



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.6008 of 2022

S.Rajthilak

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Madhavaram GNT Road Traffic Police Station,
Thiruvallur District.
(Crime No.33 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail concerned in Crime No.33 of 2022 pending on the file of Respondent of police.

For Petitioner : Mr.S.N.Arun Kumar

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

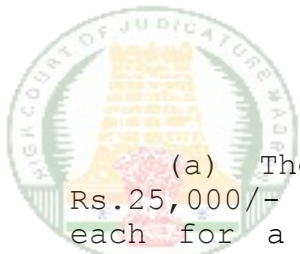
O R D E R

The petitioner/A1, who was arrested on 02.02.2022 for the offences punishable under Sections 308, 338 of IPC read with Section 411 of M.V.Rules read with 134(b) of M.V. Act in Crime No.33 of 2022, on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. It is a case of rash and negligent driving causing grievous hurt to the rider of the two wheeler. As per the F.I.R., the petitioner herein who is the driver of the private bus, has driven the vehicle on the wrong side, rash and negligently and hit the two wheeler. The rider of the two wheeler has sustained fractured injury and was admitted in the hospital as inpatient and discharged from hospital on 07.03.2022.

4. Considering the present status of the investigation and the nature of the case, the petitioner being driver by profession and the victim already been discharged from the hospital, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions;



(a) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.II, Ponneri.

WEB COPY (b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Investigation Officer daily at 10.30 a.m., until further orders.

(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 Judicial 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 229A IPC.

-sd/-

16/03/2022

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,
NO.II, PONNERI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 INSPECTOR OF POLICE,
MADHAVARAM GNT ROAD TRAFFIC POLICE STATION,
TIRUVALLUR DISTRICT.

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CC to M/S. S.N.ARUN KUMAR Advocate on payment of necessary
charges SR.4033

CRL OP.6008/2022

Date :16/03/2022

RVR 17/03/2022