



Crl.O.P.No.19192 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 308, 337 of IPC r/w Sections 184, 185 of MV Act, in Crime No.319/AM3 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner in a drunken mode driven the vehicle in a rash and negligent manner and hit the vehicle of the defacto complainant and caused injuries to the defacto complainant and also damaged the vehicle worth about Rs.60,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only) to the credit of Crime



Crl.O.P.No.19192 of 2022

WEB COPY

No.319/AM3 of 2022, without prejudice to his right of defence. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner had driven the vehicle in a rash and negligent manner and hit the vehicle of the defacto complainant and caused injuries to the defacto complainant and also damaged the vehicle worth about Rs.60,000/-. He would further submit that the injured has been discharged from the hospital on 03.08.2022. However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only), without prejudice to his right of defence, to the credit of Crime No.319/AM3 of 2022, within a period



CrI.O.P.No.19192 of 2022

WEB COPY

of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned XVIII Metropolitan Magistrate, Saidapet, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only) to the credit of Crime No.319/AM3 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.



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Crl.O.P.No.19192 of 2022

G.K.ILANTHIRAIYAN, J.

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[d] the petitioner shall report before the respondent police daily at 10.30 a.m., and 05.30 p.m, for a period of four weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

16.08.2022

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Crl.O.P.No.19192 of 2022