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CrI.OP.No.19532 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.19532 of 2022

Senthilkumar

...Petitioner

Vs.

The State Rep. by  
The Inspector of Police,  
Vandavasi North Police Station,  
Vandavasi,  
Tiruvannamalai District.  
Crime No:135/2022.

...Respondent

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioner on bail in Crime No.135/2022 pending  
on the file of the respondent.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr.A.Damodaran,  
Additional Public Prosecutor

**ORDER**

The petitioner, who was arrested and remanded to judicial  
custody on 30.07.2022 for the offences punishable under Sections **279,**  
**338, 506(ii) of IPC and Sections 180, 181(3), 183 & 184 of M.V. Act**



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in Crime No.135 of 2022 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that, on 30.07.2022, the *de-facto* complainant's son came out of the class room at about 11 a.m. to attend the natural call. At that time, the petitioner who is working as a driver in the same school, drove a tractor attached with tipper owned by the school in a rash and negligent manner and hit against him. The victim sustained injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the injured is still in hospital taking treatment. Hence, he vehemently opposed for granting bail to the petitioner.



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5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e., 30.07.2022, this Court is inclined to grant bail to the petitioner. 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Vandavasi**, and on further conditions 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 shall report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.**

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

[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 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]**.



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

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mpl



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**G.K.ILANTHIRAIYAN, J.**

mpl

To

- 1.The Judicial Magistrate,  
Vandavasi.
- 2.The Inspector of Police,  
Vandavasi North Police Station,  
Vandavasi,  
Tiruvannamalai District.
- 3.Sub Jail, Vandavasi.
- 4.The Public Prosecutor,  
High Court of Madras

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