



CRL.O.P.No. 24430 of 2022

Crl.O.P.No. 24430 of 2022

SATHI KUMAR SUKUMARA KURUP., J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 279, 308 of IPC and 184, 188, 128 r/w 177 of Motor Vehicles Act 1988 in Crime No.215 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had sent a video message to one Gajendran, the Sub Inspector of Police, Traffic Investigation Police Station, Pondy Bazaar, Chennai, on 09.09.2022, while he was on duty, at midnight wherein 4 persons along with pillion riders totalling 8 persons have driven their motorcycles carelessly and creating noise and thereby causing disturbance to the other vehicle users and pedestrians. Hence the complaint.

3. The learned counsel for the petitioner would submit that some of the arrested accused have been released on bail by the Principal Sessions Court, Chennai in Crl.M.P.Nos.17544, 17568 and 17569 of 2022 on 19.08.2022 with conditions. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) would submit that due



CRL.O.P.No. 24430 of 2022

to the illegal act of the petitioner public has been affected . He would further submit that the video message of the petitioner has been uploaded in the social media which threatens the vehicle users. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and taking note of the fact that some of the co-accused have been arrested and granted with bail, 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 on which the order copy made ready, before the **IV Metropolitan Magistrate, Saidapet** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties (out of which one shall be either the father or mother of the petitioner), 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



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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 stay at Chennai and report before the respondent Police, everyday at 5.00 p.m., for a period of three weeks;

[c] the petitioner shall stay at Chennai and report before the Duty Doctor, Rajiv Gandhi Government General Hospital, Chennai in Trauma Ward, from Tuesday to Saturday at 8.00 a.m and stay in Trauma Ward till 12.00 noon and assist the Ward Boys to take care of the patients at Trauma Ward for a period of 3 weeks from the date of execution of sureties. He shall also submit one page report daily about his experience in the Trauma Ward to the Duty Doctor and thereafter, the Dean shall forward the reports submitted by him at the end of three weeks to this Court;

[d] the petitioner shall upload a video in his Instagram account against reckless driving, drunken driving and insisting of wearing helmets and seat belts during driving;

[e] the petitioner shall file an Affidavit that he will not indulge in reckless driving, causing panic and hazard to the other drivers and pedestrians on the road;

[f] the petitioner shall be present at Teynampet-Mount Road Junction signal every Monday for a period of three weeks between 9.30 a.m. to 10.30 a.m. and 5.30 p.m. to



CRL.O.P.No. 24430 of 2022

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6.30 p.m. and distribute the pamphlets containing awareness messages against reckless driving, drunken driving and insisting for wearing helmets and seat belts during driving. The cost for printing the pamphlets shall borne by the petitioner;

[g] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[h] the petitioner shall not abscond either during investigation or trial;

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

06.10.2022

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CRL.O.P.No. 24430 of 2022

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CrI.O.P.No. 24430 of 2022

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