



Crl.O.P.No.25633 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 279, 337, 338 of IPC and after FIR was altered for the offences punishable under Section 308 of IPC and Section 184 of the Motor Vehicles Act, 1988 in Crime No.285/T3/2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had driven the motor cycle in a rash and negligent manner in order to endanger the other road users and dashed against the de facto complainant resulting in him sustaining fracture in the right leg. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The fact remains that, it was accident, however, since the de facto complainant happens to be a police man, the respondent had registered a case as if the petitioner had driven the motor cycle in the manner endangering safety of



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other persons. He further submitted that the petitioner has also sustained head injury. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent submits that the petitioner driven the vehicle in a rash and negligent manner endangering safety of others and had dashed against the de facto complainant resulting in him sustaining fracture of the right leg. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration of the facts and submission on both sides and on perusal of the records, I am inclined to grant Anticipatory Bail with certain conditions.



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7. 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 learned VI Metropolitan Magistrate, Egmore, Chennai - 600 008, on condition that 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 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 report before the respondent police everyday at 10.30 a.m., for a period of two weeks thereafter every Saturday at 10.30 a.m, until further orders.



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[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]**.

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

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