



Crl.OP.No.9830 of 2023

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K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 279, 337 of IPC and 181(4) 199(A) of M.V.Act 1988, in Crime No.71 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was injured by a Scooty in an accident at Mayor Sathyamurthi Salai-Chetpet on 02.03.2023. When the accident occurred, the said Scooty bearing Reg.No.TN.01 BQ 8750, was being driven by a minor girl and the petitioner is the owner of the Scooty. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is only the owner of the said vehicle Scooty and was unaware of the said accident. He further submitted that the petitioner is no way connected with the alleged offence. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the said accident occurred due to reckless driving of a minor girl who is the daughter of the petitioner and petitioner is the owner of the vehicle Scooty. Hence he opposed for granting anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Metropolitan Magistrate-IV, Saidapet-Chennai**, 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 his Aadhar card or Bank pass



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Book to ensure their identity;

[b] the petitioner shall report before the respondent police every monday at 10.30 a.m., until further orders;

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

17.05.2023

(Sha/Vrc)



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