



Crl.O.P.No.14354 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 279, 308, 109 of IPC and Sections 189 read with 177 of M.V.Act in Crime No.188 of 2023** on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that petitioners are falsely implicated in this case based on the confession statement of the co-accused. Apprehending arrest in Crime No.188 of 2023 registered for the offences under Sections 279, 308, 109 of IPC and Section 189 read with 177 of M.V.Act, this petition is filed by the petitioners.

3. In response, learned Government Advocate (Criminal side) submitted that petitioners along with other accused involved in Auto race. Eight Autos participated in the race at early hours on 21.03.2023 in the Minjur to Vandalur 400 feet road. Out of eight Autos, five Autos have been seized. Remaining three Autos are yet to be seized. Only five accused were arrested and released on bail.



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The remaining accused are yet to be arrested. It is further submitted by him that, unless the petitioners are arrested, the Autos used for Auto race cannot be seized.

4. Considering the nature of the allegations made against the petitioners that there is material available to know the details of the autos alleged to have been used by the petitioners and also the fact that co-accused has been arrested and released on bail, this Court is of the view that, custodial interrogation of the petitioners is not necessary.

5. In such circumstances, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Ambattur**, on condition that the each of the petitioners shall execute a separate 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



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petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the Petitioners 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 Petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the Petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the Petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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



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

18.07.2023

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