



Crl.O.P.No.18140 of 2023

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WEB CRI RMT.TEEKAA RAMAN, J.

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Section 279, 308 IPC r/w.185 of Motor Vehicles Act in Crime No.109 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 03.07.2023 at about 08.30 pm the Petitioner came in his vehicle and dashed against the Defacto Complainant's vehicle in a rash and negligent manner. Hence the complaint.

3.The learned Counsel for the Petitioner would submit that the Defacto Complainant alone came in a rash and negligent manner and due to this accident, the Petitioner sustained grievous injuries on right leg, upper right eyebrow and face. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (Crl. Side) for the Respondent is vehemently opposed to grant anticipatory bail to the Petitioner.

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

6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the fact that in the alleged road transport accident, both the Defacto Complainant and the Petitioner are suffered injuries



and treatment was given to them, I am inclined to grant anticipatory bail to the Petitioner with certain conditions. Since it is stated that the Petitioner is under treatment in hospital, his discharge should be intimated to the Respondent.

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**, on condition that the Petitioner shall execute a separate 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 their Aadhar card or Bank pass Book to ensure their identity;

[b] **After discharged from the hospital, the Petitioner shall report before the Respondent Police, everyday at 10.30 a.m., for a period of four weeks and thereafter on every Saturday at 10.30 a.m., until further orders;**

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



Crl.O.P.No.18140 of 2023

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[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 Petitioners 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.

17.08.2023

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CrI.O.P.No.18140 of 2023

17.08.2023