



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.19481 of 2023

Shankar

... Petitioner/A1

Vs.

State through
The Inspector of Police,
Avadi TIW Police Station,
Thiruvallur District.
(Crime No. 512/2023)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.512 of 2023 on the file of the The Inspector of Police, Avadi TIW Police Station, Thiruvallur District.

For Petitioner : Ms.M.Sathyasai Eswari

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER



The petitioner herein, the driver of the container lorry was arrested on 04.08.2023 for the offences under Sections 283 & 304(ii) I.P.C, in Crime No.512 of 2023, on the file of the respondent police, seeks bail.

2. According to the First Information Report, without parking light, the container was parked on the road side, negligently a two wheeler rider has dashed against the parked container and succumbed to injury.

3. The trial Court has dismissed the bail petition on the ground that the investigation is pending and the petition is at premature stage. After 20 days of arrest, the investigation is substantially completed.

4. Hence, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.25,000/-**
(Rupees Twenty Five Thosand only) with two sureties, each for a



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like sum, to the satisfaction of the learned **Judicial Magistrate-11, Tiruvallur;**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the respondent police as and when required for interrogation;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial 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

Dr.G.JAYACHANDRAN, J.

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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];

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

24.08.2023

rpl

To

1.The Judicial Magistrate-11, Tiruvallur.

2.The Inspector of Police,
Avadi TIW Police Station,
Thiruvallur District.

3.The Superintendent,
Central Prison
Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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