



Crl.OP.No.22590 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.22590 of 2023

K.Saravanan S/o. Kasi

... Petitioner

Vs.

State by
The Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram District.
(Crime No.900 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail concerned in Crime No.900 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.D.Velu

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



Crl.OP.No.22590 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.08.2023 for the offences punishable under Sections 279, 337, 304(ii) IPC in Crime No.900 of 2023 on the file of the respondent police, seeks bail.

2. The petitioner, who is an aspirant to write Civil Services Examination, had either with driving license or without driving license, but without knowledge of driving four wheelers, drove the car rashly in a temple festival and causing death of one person and injuring six others.

3. The learned counsel for the petitioner on instruction stated that the petitioner would pay compensation of Rs.25,000/-. It is not known whether it is for all the injured persons or the family of the deceased or each Rs.25,000.

4. At any rate, this Court can not put any such condition on the petitioner.



Crl.OP.No.22590 of 2023

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5. Taking into consideration the fact that since it is the first time offence and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (one surety must be either father or mother of the accused), each for a like sum to the satisfaction of the Judicial Magistrate No.I, Kancheepuram, and on further conditions that:

[a] 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 daily Morning at 10.30 a.m., Afternoon at 2.00 p.m., and Evening at 5.30 p.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.



CrI.OP.No.22590 of 2023

[d] the petitioner shall not tamper with evidence or witness 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.

17.10.2023

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Crl.OP.No.22590 of 2023

To

- 1.The Judicial Magistrate No.1, Kanchipuram.
- 2.Sub-jai, Kancheepuram.
- 3.Central Jail, Puzhal
- 4.The Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram District.
- 5.The Public Prosecutor,
High Court of Madras.



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Crl.OP.No.22590 of 2023

C.V.KARTHIKEYAN. J.

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Crl.O.P.No.22590 of 2023

17.10.2023