



Crl.O.P.No.25359 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

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

Crl.O.P.No.25359 of 2023

S.Selva Ganesh C/o. Shankaravel

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
TIW, Pulianthope Police Station,
Chennai.

(Crime No.145 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.145 of
2023 on the file of the respondent police.

For Petitioner : Mr.C.Raja

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



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ORDER

The petitioner seeks bail in Crime No.145 of 2023, registered by the respondent police for the offences punishable under Sections 279 308 of IPC and Section 185 of Motor Vehicle Act. He had been remanded to judicial custody on 20.10.2023.

2.It is stated that the petitioner was driving a two-wheeler and there was a vehicle check and the petitioner was asked to stop and the petitioner applied the brake but dashed against the defacto complainant, who sustained injuries in right leg knee.

3.It is also stated that the injured is a police official but however, taking into consideration the fact that the petitioner has been in custody from 20.10.2023 and that he was not under the influence of alcohol, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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, each for a like sum to the satisfaction



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of the VI Metropolitan Magistrate, Egmore, Chennai, 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 everyday at 10.30 a.m., until further orders.

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

[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.

07.11.2023

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C.V.KARTHIKEYAN. J.

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To

1. The VI Metropolitan Magistrate, Egmore, Chennai.
2. The Central Prison, Puzhal – II, Chennai.
3. The Inspector of Police,
TIW, Pulianthope Police Station.
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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