



Crl.O.P.No.809 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

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

Crl.O.P.No.809 of 2024

Prem Kumar
S/o. Kumaravelu

... Petitioner

Vs.

State represented by
The Inspector of Police,
Traffic Investigation Wing,
P-1, Pulianthope Police Station,
Chennai.
(Crime No.173 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.173 of 2023 on the file of
the respondent.

For Petitioners : Mr. K. Kamal

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.12.2023, registered for the offences under Sections 279 and 338 of I.P.C and Sections 134(a), 134(b), 184, 187 of Motor Vehicles Act in Crime No.173 of 2023 on the file of the respondent Police, seeks bail.

2. It is stated that the petitioner had driven his two wheeler in a rash and negligent manner and caused an accident to a Government Doctor, who had suffered injuries in her left hand and nose and had been admitted to the hospital.

3.The learned counsel for the petitioner stated that the petitioner is an innocent of the alleged offences.

4.Taking all these factors into consideration and also considering the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:



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5. 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 of the learned X 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 make a non-refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Registered Advocate Clerk Association, High Court of Madras, Chennai.

[c] the petitioner should render service in the Casualty ward at the Stanley Government Medical College and Hospital, Chennai - 600 001, for a period of two weeks between 10:30 a.m to 2.00 p.m and witness the nature of injuries suffered by the victims who are admitted in the hospital and a diary in this regard may be submitted to the learned X Metropolitan Magistrate, Egmore, Chennai and after that the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders.

[d] the petitioner shall not abscond either during



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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 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].

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

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To

- 1.The X Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police,
Traffic Investigation Wing,
P-1, Pulianthope Police Station,
Chennai.
- 3.The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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