



Crl.O.P.No.3110 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

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

Crl.O.P.No.3110 of 2024

Dhanushkodi S

...Petitioner

Vs.

State represented by
The Inspector of Police,
Guindy Police Station,
Guindy, Chennai.
(Crime No.574 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.574 of 2023 on the file of the respondent Police.

For petitioner : Mr.S.Sivagurunathan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 08.01.2024 registered by the respondent Police for the offences under



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Sections 279, 337, 304(2) of IPC and Section 185 of MV Act, in Crime No.574 of 2023, seeks bail.

2.It is stated that on 25.12.2023, the petitioner and the deceased were going to celebrate Christmas, they were drunk and the petitioner was driving the motorcycle and the deceased was riding pillion. There was an accident and the pillion rider/deceased died.

3.This Court had adjourned the case hoping that some efforts would be taken to rehabilitate the petitioner atleast from the addiction of alcohol after realising, seeing and witnessing the death of his own friend.

4.The learned counsel for the petitioner had not come forward with any such proposal.

5.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned VI Additional Metropolitan Magistrate, Saidapet and on further



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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.

20.02.2024

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C.V.KARTHIKEYAN. J.

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To

1. The VI Additional Metropolitan Magistrate, Saidapet.
2. The Sub Jail, Saidapet.
3. The Inspector of Police,
Guindy Police Station,
Guindy, Chennai.
4. The Public Prosecutor, High Court of Madras.

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