



Crl.O.P.No.4244 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

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

Crl.O.P.No.4244 of 2024

Arul

...petitioner

Vs.

State represented by
The Sub Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.
Crime No.80 of 2024

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.80 of 2024 on the file of the respondent Police.

For petitioner : Mr.E.Kannadasan

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 09.02.024 for the offences registered by the respondent Police under Sections 279, 337 of IPC and subsequently, altered to Sections 279, 337,



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379 of IPC r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act 1957, in Crime No.80 of 2024, seeks bail.

2.The petitioner is the driver of the lorry bearing registration No.TN 93 4230. The petitioner drove the lorry in a rash and negligent manner and caused injuries on the leg of the young child aged 8 years.

3.The learned Government Advocate (crl.side) stated that the child has been discharged from the hospital.

4.Taking into consideration the period of incarceration and also of the fact that the child had been discharged from the hospital, I am inclined to grant bail to the petitioner subject to the following conditions.

5. 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 Judicial Magistrate No.I, Thirupathur 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



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Police, everyday at 10.30 a.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.80 of 2024 before the Judicial Magistrate No.I, Thirupathur and on such deposit, the learned Magistrate, may handover the said amount to the parents of the child towards treatment for the injuries.

[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 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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C.V.KARTHIKEYAN. J.

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To

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1. The Judicial Magistrate No.I, Thirupathur.
2. The Sub Jail, Thirupathur.
3. The Sub Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.
4. The Public Prosecutor, High Court of Madras.

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