



Crl.O.P.No.5808 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

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

Crl.O.P.No.5808 of 2024

Saran Prabakar

...Petitioner

Vs.

State represented by
The Inspector of Police,
Redhills Traffic Investigation Wing Police Station,
Crime No.107 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.107 of 2024 on the file of the respondent Police.

For Petitioner : Mr.R.Prabudoss

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 25.02.2024 for the offences registered by the respondent Police under Sections 279, 308, 427 of IPC r/w Sections 181, 185 & 188 of MV Act,



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in Crime No.107 of 2024, seeks bail.

2.The learned counsel for the petitioner filed a memo seeking alteration of the offences and the satisfaction Court in the petition. While issuing order copy, the Registry may note that the offences are Sections 279, 308, 427 of IPC r/w Sections 181, 185, 188 of MV Act and the Satisfaction Court is Judicial Magistrate No.II, Ambathur.

3.The case of the prosecution is that the petitioner drove a car under the influence of alcohol and caused damages to the shop, two wheeler and signal post.

4.It is stated by the learned Government Advocate (crl.side) that the total damage is caused about Rs.2,00,000/-.

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 **Judicial Magistrate No.II, Ambathur** and on further conditions that :-



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[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 5.30 p.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.107 of 2024 before the Judicial Magistrate No.II, Ambathur. The learned Magistrate, after entering into discussion with the public prosecutor in that Court and distribute the amounts to those who suffered cost in a proportion manner. This would not preclude the others who had suffered the lost to claim further compensation in the manner known to law.

[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



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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.

13.03.2024

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To

1. The Judicial Magistrate No.II, Ambathur.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
Redhills Traffic Investigation Wing Police Station,
- 4.The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

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