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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No. 17850 of 2024

Rahul Dhar

... Petitioner

Vs.

State Rep by.
The Inspector of Police
TIW Adyar Police Station,
Chennai TIW East, Chennai District.
Crime No. 284 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the accused/petitioner on bail in crime No. 284 of 2024
on the file of the Inspector of Police, TIW Adyar Police Station, Chennai
TIW East, Chennai District.

For Petitioner : Mr. R.Rajadurai
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.07.2024 for the alleged offences punishable under Section 110, 54 of the Bharatiya Nayaya Santit(BNS), 2023 and under Sections 184, 185 of Motor Vehicle Act, 1988 and **in crime No. 284 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 09.07.2024, the petitioner driven his vehicle in drunken mode and dashed against the police vehicle. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the petitioner is ready to abide any conditions. On the other side, the learned Government Advocate (Crl. side) submits that there is no previous case pending against the petitioner.



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4. Considering the period of incarceration undergone by the petitioner and also there is no bad antecedents against him. Hence, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned IV Metropolitan Magistrate, Saidapet**, 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 on every Tuesday at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation. Further, the petitioner shall deposit a sum of **Rs.20,000/-** to the credit of crime



No.284 of 2024 and the defacto complainant is permitted to withdraw the same and use it for repair the vehicle.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The **XIV Metropolitan Magistrate, Saidapet.**

2.The Inspector of Police
TIW Adyar Police Station,
Chennai TIW East, Chennai District.

3. The Sub Jail, Saidapet.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17850 of 2024

26.07.2024