



Crl.OP.No.19665 of 2024

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P.DHANABAL, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 281, 125(b), 125(a) of BNS and 181(4) and 199A of Motor Vehicle Act in Crime No.138 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioner/accused son namely Karthik is aged about 16 years is a minor riding a motor bike in a rash and negligent manner hit the defacto complainant's daughter on 04.07.2024. She sustained grievous injuries and admitted to the hospital. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the case and not committed the alleged offence. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that the petitioner's son is a juvenile had rode the motor cycle in a rash and negligent manner had hit the minor girl. The petitioner is the registered owner of the motor bike. Hence, vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the rival submissions on either side and the nature of offences charged against the petitioner and the fact that except Section 199A of Motor Vehicles Act, 1988, all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned VI Metropolitan Magistrate, Egmore, on condition that the petitioner shall 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 respondent



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police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS.

16.08.2024

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