



Crl. O.P. No.23082 of 2024

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**P. DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Sections 281, 106(1) of BNS @ 281, 106(1) and 105 of BNS in Cr. No.428 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, “the petitioner's school laid a small speed breaker in front of his school. Due to the speed breaker, one Gangadharan, aged 69 years, fell down while he was riding his vehicle and sustained head injury and finally died on 07.07.2024. Hence, the respondent police registered a case against the petitioner”. Hence, this petition.

3. The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the respondent. He would further submit that, a settlement talk is going on between the parties and he is ready to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs) before the concerned Judicial



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Magistrate and he prays for grant of anticipatory bail to the petitioner.

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4. The Learned Government Advocate (Criminal side) appearing for the respondent police would contend that, the injured person had sustained grievous injuries and died. Therefore, he strongly objected for grant of anticipatory bail to the petitioner. However, he admitted that no previous case is pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions and the nature of offences and Considering the fact that, there is a settlement between the parties and that there is no previous case against the petitioner and also the petitioner is ready to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs) before the concerned Judicial Magistrate, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. 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 **Judicial Magistrate, Alandur**, on condition that the petitioner shall execute a bond



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for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

**[a] the petitioner shall deposit Rs.5,00,000/- (Rupees Five Lakhs) before the Trial Court in Crime No.428 of 2024.**

**[b] the petitioner shall report before the respondent police on every Saturday at 10.00 a.m. until further orders.**

[c] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[d] the petitioner shall not leave India without the previous permission of the Court;

[e] the petitioner shall not abscond 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 269 B.N.S.2023.



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8. The Defecto Complainant is at liberty to withdraw the said amount of Rs.5,00,000/-, after deposit of the same by the petitioner.

04.10.2024

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To

1. The **Judicial Magistrate, Alandur**
2. The Inspector of Police,  
T-14, Pallikaranai Police Station,  
Traffic Investigation, Chennai.
3. The Public Prosecutor, High Court, Madras.



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