



Crl.O.P.No.24859 of 2024

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WEB CODE **P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Sections 281, 125(b) BNS and Section 129 of MV Act @ Section 281, 106 of BNS and Section 129, 199 A MV Act, in Crime No.206 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant who is father of the deceased is that he received a call from his son friend one Manikandan and informed that his son died in a road accident. One Ranjithkumar, who is the son of the petitioner, along with two others was ridding his two wheeler and in order to avoid hitting of an auto, the son of the petitioner applied sudden break and caused the accident. In the accident, the son of the defacto complainant sustained injuries and died. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he is no way connected with the alleged offence. Without knowledge of the petitioner, his son drove the two wheeler



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along with his friend to celebrate a birth day party and caused the accident.

However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the son of the petitioner along with his friends drove the motorcycle in a rash and negligent manner and caused the accident. In the accident, the son of the defacto complainant, who was a pillion rider, fell down in the road and died. He further submitted that there is no previous case against the petitioner. He also submitted that A1, who is juvenile, was granted bail. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and the nature of offences charged against the petitioner and there is no previous cases against the petitioner and material part of investigation has already been completed and awaiting for a viscera report and also of the fact that



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A1, who is a juvenile, was granted bail, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order 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 police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report **before the respondent Police, on everyday at 10.30 a.m., until further orders;**

[b] 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 him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.



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[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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

17.10.2024

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