



Crl.O.P.No.27460 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.27474 of 2024

Alexander

... Petitioners

Vs.

The State rep by
Inspector of Police
Kaveripattinam Police Station,
Krishnagiri District
(Crime No.532 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioners on bail in Crime No.532 of 2024 on the file of respondent police.

For Petitioner : Mr.S. Sathya

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl. Side)



CrI.O.P.No.27460 of 2024

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.10.2024 for the offences under Sections 281, 106 of BNS Act and Section 185 MV Act altered into 281, 105 of BNS Act in Crime No.532 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner drove the vehicle in a intoxicated mood and dashed against the defacto complainant's son two wheeler, due to which the defacto complainant's son and other two persons died. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner has been in custody since 11.10.2024 ; that he is a law-abiding citizen; that he is ready to furnish substantial sureties for his due release on bail, therefore, he prays for the grant of bail to the petitioner.



Crl.O.P.No.27460 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that the petitioner drove the vehicle in a intoxicated mood and dashed against the defacto complainant's son two wheeler, due to which the defacto complainant's son and other two persons died. He further submitted that there is no previous case pending against the petitioner.

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

6.Considering the representation made on both sides, nature of offence, there is no previous case pending against the petitioner, taking into consideration the period of incarceration undergone by the petitioner and all other factors this Court is inclined to grant bail to the petitioner with certain conditions:

7. 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, each for a like sum to the satisfaction



CrI.O.P.No.27460 of 2024

of the learned Judicial Magistrate No.1, Krishnagiri and on further conditions that:

[a] the petitioner shall report before the Respondent Police Station, everyday at 10.30 a.m until further orders.

[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] 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 to the Court or to any police officer or tamper with the evidence;

[e] the Petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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



WEB COPY



Crl.O.P.No.27460 of 2024

Court himself as laid down by the Hon'ble Supreme Court
in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];
and

[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 B.N.S.

30.10.2024

smn

To

1.The Judicial Magistrate No.1, Krishnagiri

2.The Sub Jail, Krishnagiri

3.The Inspector of Police
Kaveripattinam Police Station,
Krishnagiri District

4.The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.27460 of 2024

P.DHANABAL, J.

smn

CrI.O.P.No.27474 of 2024

30.10.2024