



Crl.O.P.No.29134 of 2024

Crl.O.P.No.29134 of 2024

WEB COPY

A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.187 of 2023 registered for the offences punishable under Sections 279, 304A @ 279, 304A, 201, 203, 420 and 511 of IPC, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 16.06.2023, her husband, while he was riding a Honda Motorcycle bearing Registration No.TN-20-BS-9978 from Vettavalam to Pazhabalam, the driver of a Tractor bearing registration had dashed against her husband without any number plate. Due to which, he died on the spot and a case was registered in Crime No.187 of 2023 under Sections 279 and 304A of IPC. Thereafter, it was found that the Tractor was an unregistered vehicle. The accused persons, however had changed the number plate of the Tractor and therefore, the present FIR came to be registered. Hence, the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of



this Court. He would submit that the co-accused were given anticipatory bail by this Court. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail would submit that on investigation, it was found that the tractor without number plate only hit the deceased, but A2, who gave false statement that the tractor with number plate caused the death. He would further submit that the co-accused were granted anticipatory bail by this Court in Crl.O.P.No.1456 of 2024 dated 19.02.2024.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the *learned Judicial Magistrate-II, Thiruvannamalai* on



condition that the petitioner shall execute a bond for a sum of **Rs.10,000/-**
(Rupees Ten Thousand only), with two sureties 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said
Magistrate within a period of fifteen days, this Order shall
stand automatically cancelled;

[b] 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;

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

[d] the petitioner shall not tamper with evidence or
witness either during investigation or trial;

[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



WEB COPY



Crl.O.P.No.29134 of 2024

A.D.JAGADISH CHANDIRA, J.

mac

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 of BNS.

03.12.2024

mac

Crl.O.P.No.29134 of 2024