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Crl.O.P.No.29002 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29002 of 2024

Praveenkumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
TIW East, Coimbatore City,
Coimbatore District.
(Crime No.500 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.500 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.B.Mohan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.500 of 2024 registered for the offences punishable under Sections 281, 125(a) and 105 of BNS and 184, 185, 187, 134(a) & 134(b) of Motor Vehicles Act, is on board for consideration.



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2. The incarceration of the petitioner/A1 being from 12.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the co-accused have been enlarged on bail by this Court in Crl.O.P.Nos. 27125 & 27410 of 2024 dated 29.10.2024 and 30.10.2024 and the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He also submits that the petitioner, aged about 24 years, is in no way connected with the alleged offence, however, the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.50,000/- as non-refundable deposit to the credit of crime number. He also submits that the petitioner has no objection in the amount being released in favour of the wife of the deceased/victim.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner/A1, in an inebriated condition, had driven a septic tank lorry bearing No.TN-20-CZ-1326 in a rash and negligent manner and dashed



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against a car, which in turn, hit the father of the de facto complainant and another person, who were walking on the road in front of the car. On account of which, the father of the de facto complainant died on the spot. He further submits the petitioner had driven a lorry even without a licence and further, the investigation in this case has almost been completed.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.500 of 2024**, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt. The petitioner, on depositing the said amount, the learned Magistrate concerned shall disburse the same to the wife of the deceased/victim on filing undertaking affidavit and proper identification and acknowledgment.

5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of



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incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.VIII, Coimbatore**, and on further conditions that:

[a] 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 everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 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



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

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

04.12.2024

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To

1. The Judicial Magistrate No.VIII,
Coimbatore.
2. The Inspector of Police,
TIW East, Coimbatore City,
Coimbatore District.
3. The Superintendent,
Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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