



Crl.O.P.No.29994 of 2024

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WEB COPY A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.584 of 2024 registered for the offences punishable under Sections 281, 125(a), @ 281, 125(a), 406(2) of BNS, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution as per the defacto complainant Manikandan is that, while he was traveling along with his uncle, an unidentified car collided with them. As a result, the said Manikandan sustained injuries and his uncle suffered a head injury. Both were admitted in the Government Hospital, Kankeyam. Subsequently, his uncle was shifted to the Tiruppur Government Hospital for further treatment, where he succumbed to his injuries on 10.11.2024. 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. Learned counsel for the petitioner would



submit that, as per the complaint, the respondent police had requested the petitioner to produce the car for investigation and the petitioner has produced the car. He would further submit that the car is fully insured. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner allegedly drove the car in a rash and negligent manner, colliding with the defacto complainant and his uncle, which resulted in the death of the complainant's uncle. Further, he would submit that the investigation in the case is still pending.

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 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 of receipt of



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a copy of this order, before the learned Judicial Magistrate, Kangeyam,
on condition that the petitioner shall execute a bond for a sum of
Rs.10,000/- (Rupees Ten Thousand only), each 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 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 shall report before the respondent
Police daily at 10.30 a.m., until further orders.

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

[d] the petitioner shall not abscond 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 by the Hon'ble Supreme Court in P.K.Shaji vs. State
of Kerala [(2005)AIR SCW 5560];



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

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