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CRL OP NO. 31014 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31014 of 2024

Kodipunjula Prasanth Kumar
No.7, 91, Chekatimani Palli, Harijana Vada,
Cheekatimanipalle, Anantapur, Andhra Pradesh
S/o. Gangulappa, No.7-91, Chekatimani Palli, Harijana Vada,
Cheekatimanipallee,
Anantapur, Andhra Pradesh.

Petitioner(s)

Vs

The State Rep by, The Inspector of Police
No.7, 91, Chekatimani Palli, Harijana Vada,
Cheekatimanipalle, Anantapur, Andhra Pradesh
Kangeyam Police Station, Tiruppur.
Cr.No. 568 of 2024.

Respondent(s)

For Petitioner(s) : C.R. Gokulvisvas
N.Ranjini

For Respondent(s): Mr.S.Santhosh,
Government Advocate [Criminal Side]



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ORDER

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Apprehending arrest in connection with Crime No.568 of 2024 registered for the offences punishable under Sections 281, and 125(a) of BNS @ altered to 281, 106(2) of BNS (hit and run), the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is innocent and false complaint has been foisted against the petitioner. He further submits that from a reading of the FIR would show that the victim was admitted by one Saranraj, at that time, the said Saranraj had informed that the victim had sustained injuries due to his own fault. He would further submits that the petitioner has been falsely implicated in this case. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.1,00,000/- to the credit of Crime Number. He further submits that the vehicle is fully insured and there was negligence on the part of the petitioner. He would further submits that the petitioner is ready to abide by



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any stringent condition that may be imposed by this Court.

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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 had driven a car in a rash and negligent manner while coming out from a restaurant had, hit the victim coming in the two wheeler, due to which, the victim had sustained injuries and subsequently, the victim was taken to the hospital and died on the next day. He would further submit that based on the CCTV footage available in the location and the statement from the eye witness, the petitioner arrayed as an accused. He would further submit that the vehicle is fully insured.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of the Crime No. 568 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.



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5. Further, 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, Kangeyam**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties [Out of which, one should blood surety] 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, 1st Saturday of every month 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 petitioners 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 accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

19-12-2024

MSM



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To

The State Rep by, The Inspector of Police

No.7, 91, Chekatimani Palli, Harijana Vada,
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2.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

MSM

Crl.O.P.No. 31014 of 2024

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