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Crl.O.P.No.31828 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31828 of 2024

Vijayakumar
S/o Vadugandhasamy, 22/23, Sennkalpalayam,
Dharapuram, Tiruppur District

Petitioner(s)

Vs

The State Rep By
The State Represented By Its Inspector Of Police,
TIW East Police Station, Coimbatore District

Respondent(s)

For Petitioner(s):

Balaji Thirumoorthy
Gobiga Sri
R Gokul
Selvamani K

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 281 and 106(1) of BNS and Sections 187, 134(a) and 134(b) of Motor Vehicles Act, 1988 in Crime No.569 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 29.11.2024, while the



petitioner herein was driving TNSTC bus, hit the deceased Srinivasan, who was crossing the entry gate of the Singanallur Bus stand, thereby the deceased had sustained severe head injuries and died on the spot. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is a TNSTC bus driver and he has no previous case nor involved in any accident in his entire service. He further submitted that the deceased had suddenly and negligently crossed the entry gate of the Singanallur Bus stand, thereby the accident has taken place. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner, stating that, due to rash and negligent driving of the petitioner, while living the bus stand, the accident has taken place, due to which one Srinivasan sustained grievous head injury and died on the spot. He also submitted that the petitioner herein was suspended from his service by the Departmental authorities



concerned and enquiry proceedings has been initiated against the petitioner.

He further submitted that the petitioner herein has no previous case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the fact that the petitioner has no previous case and he was suspended from his service, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 on which the order copy made ready, before **the learned Judicial Magistrate-VIII, Coimbatore** on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** 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 learned



Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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[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.

[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks and thereafter, first and third Saturdays of every month 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 petitioners 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].



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

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To

1. The State Rep By
The State Represented By Its Inspector Of Police,
TIW East Police Station,
Coimbatore District

A.D. JAGADISH CHANDIRA, J.



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