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Crl.O.P.No.2019 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2019 of 2025

Duraimurugan

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
K-4, TIW Anna Nagar Police Station,
Anna Nagar, Chennai.
(Crime No.19 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.19 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Parthipan .J

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 19.01.2025, seeking bail in Crime No.19 of 2025 registered for the offence under Sections 281 and 110 of BNS Act,



Crl.O.P.No.2019 of 2025

2023 r/w Section 185 of Motor Vehicles Act.

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2. The case of the prosecution is that the petitioner on 18.01.2025 at about 5.00 p.m., in an inebriated condition had ridden his autorickshaw in a rash and negligent manner and dashed against the mother of the defacto complainant, causing fracture in her leg and thus, committed the offence under Sections 281 and 110 of BNS Act, 2023 r/w Section 185 of Motor Vehicles Act.

3. The learned counsel appearing for the petitioner would submit that the case against the petitioner is false; that the petitioner has paid the entire hospital bills of the mother of the defacto complainant; that considering the period of incarceration and that his further custody is not required for the purpose of investigation, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police *per contra* submitted that the injured aged about 67 years was discharged on 03.02.2025 and she had suffered a fracture in the leg.

5. Heard the learned counsel appearing for the petitioner and the learned



Crl.O.P.No.2019 of 2025

Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the allegation against the petitioner, the fact that the injured had been discharged from the hospital and that the hospital bills were paid by the petitioner, the period of incarceration and since, his further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 **VI Metropolitan Magistrate, Egmore, Chennai** 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., until further orders;

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



WEB COPY



Crl.O.P.No.2019 of 2025

[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 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 B.N.S.

05.02.2025

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CrI.O.P.No.2019 of 2025

WEB COPY

To

1. The VI Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
K-4, TIW Anna Nagar Police Station,
Anna Nagar, Chennai.
3. The Superintendent,
Central Prison, Puzhal No.II, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.2019 of 2025

SUNDER MOHAN., J.

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Crl.O.P.No.2019 of 2025

05.02.2025