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Crl O.P.No.2560 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2560 of 2025

Arunachalam

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Avadi-TIW Police Station,
Avadi City TIW.
(Crime No.14/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.14 of 2025 on the file of the respondent Police.

For Petitioner : Mr.Vijayaragavan Marimuthu

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)
ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 281, 125(a) of BNS, 2023 and
185 of Motor Vehicles Act, 1988 in Crime No.14 of 2025, on the file of the
respondent police, seeks anticipatory bail.



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2. The case of the prosecution as per the defacto complainant one Bakthavachalam, is that on 05.01.2025, while he went for patrol near Porur in his motorcycle bearing Registration No.TN 10 BK 0034, a motorcycle bearing Registration No.TN 97 B 8986 was ridden by the petitioner/accused in a rash and negligent manner and dashed against the motorcycle of the defacto complainant, and caused grievous injuries. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court, therefore, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner, under the influence of alcohol, had ridden the motorcycle in a rash and negligent manner and caused injuries to the defacto complainant. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the nature of allegations; and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, 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 is made ready, before the **Judicial Magistrate No.I, Poonamallee**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 conditions that:

[a] the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders.

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



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

[d] 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 is 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]**;

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

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Index : Yes / No
Internet : Yes / No
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SUNDER MOHAN , J.

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