



Crl.O.P.No.4108 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

Crl.O.P.No.4108 of 2025

P.Gajendiran

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
Tambaram TIW Police Station,  
Tambaram City,  
Kancheepuram District.  
(Crime No.60 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.60 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Venugopal

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.02.2025, seeking bail in Crime No.60 of 2025 registered for the offence under Sections 281, 125(a) and 106(1) of BNS 2023 [279, 337, 304 A of IPC] altered into Section 105 of BNS [304 of IPC].



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2. The case of the prosecution is that the petitioner had driven his lorry in a rash and negligent manner and dashed against the motor cycle driven by the deceased, as a result, deceased sustained injuries and died on the spot. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegation that the petitioner had committed the offence of 304 of IPC cannot be sustained and even as per the prosecution, it is a case of accident and in any case, the petitioner is in custody from 04.02.2025 and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and opposed for grant of bail to the petitioner.

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



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6. Considering, the nature of allegation; period of incarceration; and since 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 **Judicial Magistrate, Sriperumbudur, Kancheepuram District.**

[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;

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



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[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.

18.02.2025

*Sma*  
To

1. Judicial Magistrate, Sriperumbudur,  
Kancheepuram District.
2. The Inspector of Police,  
Tambaram TIW Police Station,  
Tambaram City,  
Kancheepuram District.
3. The Superintendent,  
Sub Jail, Kancheepuram.
4. The Public Prosecutor,  
High Court of Madras.



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**SUNDER MOHAN., J.**

*Sma*

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**18.02.2025**