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CRL OP NO. 5495 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.03.2025**

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5495 of 2025

M.Murugan

petitioner

Vs

The State Rep By
The Inspector of Police
Traffic Investigation Wing (TIW),
Avadi City, Thiruvallur District.
(Crime No.106 of 2025)

Respondent

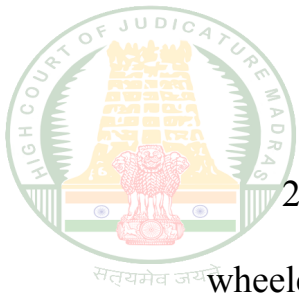
Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 106 of 2025 pending on
the file of the respondent police.

For petitioner : Mr.Janarthana R
For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent
police for the offences punishable under Sections 281, 110 and 49 of the
BNS and Sections 189 and 177 of the Motor Vehicle Act, 1988 in Crime
No.106 of 2025, on the file of the respondent police, seek anticipatory bail.



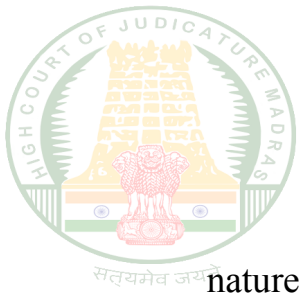
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2. The case of the prosecution is that the petitioner rode his two wheeler in a rash and negligent manner; that he did racing and wheeling on the road to the annoyance of the general public and committed the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner did not commit any other offence similar in nature; that he filed a copy of affidavit sworn to by the petitioner's father, viz., Magesh, wherein, the petitioner's father had stated that he would ensure that his son does not involve in any such activities in future.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution 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.



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6. Considering the affidavit filed by the petitioner's father; the nature of the allegations, and since, custodial interrogation is not required for the purpose of investigation, 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 No.II, Thiruvallur** 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:

[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., until further orders.

SUNDER MOHAN, J.



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[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 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 of B.N.S.

05.03.2025

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To

- 1.The Inspector of Police
Traffic Investigation Wing (TIW),
Avadi City, Thiruvallur District.
- 2.The learned Judicial Magistrate No.II,
Thiruvallur.
- 3.The Public Prosecutor,
High Court Madras.

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