



Crl.O.P.No.21908 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21908 of 2025

1.C.Kannan

2.R.Rajendran

... Petitioners

Vs.

The State represented by
The Inspector of Police,
TIW West Police Station,

Crime No.312 of 2025

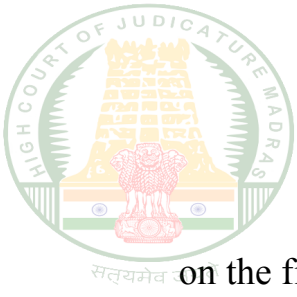
... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.312 of 2025 on the file of the respondent.

For Petitioners : Mr.R.Ganesh Babu
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody
on 26.06.2025, for the offence punishable under Section 281, 105, 54 of
BNS and 181 (3) of Motor Vehicle Act, in Crime No.312 of 2025, registered



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on the file of the respondent, seek bail.

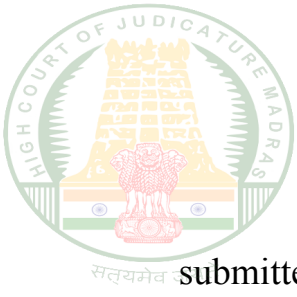
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2.The case of the prosecution is that the second petitioner is the son-in-law of the defacto-complainant. The first petitioner, in a drunken state, drove a four wheeler namely Mahindra Supro bearing Registration No.TN 38 CT 7031 in a rash and negligent manner and hit the defacto-complainant's daughter, aged about 13 years, as a result of which, she sustained a head injury. Thereafter, she was rushed to Government Hospital, Coimbatore, where she was declared dead. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. The petitioners are in judicial custody from 26.06.2025 and hence, further custody of the petitioners is not required. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioners.

5.At this juncture, the learned counsel for the petitioners voluntarily



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submitted that the petitioners, in order to show their bonafide, are ready and willing to deposit a sum of Rs.1,00,000/- each (Rupees One Lakh only) to the credit of Crime No.312 of 2025 without prejudice to their defence.

6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case, the submission that the petitioners are willing to deposit an amount of Rs.1,00,000/- each to the credit of Crime No.312 of 2025 and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are directed to deposit a sum of **Rs.1,00,000/- [Rupees One Lakh Only] each** to the credit of Crime No.312 of 2025 before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate 8, Coimbatore**. The defacto-complainant shall file a petition or memo seeking



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for withdrawal of the amount. The trial Court to dispense with the issuance of notice to the petitioners in the event of no claim by the defacto-complainant.

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent Police daily at 10.30.a.m., for a period of three weeks; thereafter as and when required for interrogation;

[d] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate 8, Coimbatore.
- 2.The Inspector of Police,
TIW West Police Station.
- 3.The Central Prison, Coimbatore.



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4.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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