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Crl.OP.No.31261 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.Nos.31261 of 2025

Sai Srinivasan

... Petitioner

Vs.

The State

Rep by the Inspector of Police,
Avadi Traffic Investigation Wing
Chennai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of
arrest in connection with Crime No.509 of 2025 pending investigation on the
file of the respondent.

For Petitioner : Mr.John Sathyan,
Senior Advocate
for Mr.R.Jayaprakash

For Intervenor : Mr.M.D.Ilayaraja

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehend arrest for the alleged offence under Sections 281, 105 and 125(a) of BNS, 2023 in Crime No.509 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioner is that he drove the car in a rash and negligent manner and dashed against another vehicle travelling on the road, thereby causing grievous injuries to two persons, out of whom, one was succumbed to those injuries, which led to the registration of the FIR. Hence, the present case.

3. The learned senior counsel appearing on behalf of the petitioner submitted that the petitioner herein was affected by BIPOLAR AFFECTIVE DISORDER EPIOSODE MANIA . At the time of driving, the petitioner was under the mental illness. Now, he has been undergoing treatment and he is now taken care of by his wife. He is under medication now. He further submitted that the petitioner is ready to cooperate with the investigation and hence, prays to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor submitted that three successive accidents had taken place in the same transaction. He further contended that if the petitioner is released on bail, he is likely to indulge in similar offences.



Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

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5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is absconding after the occurrence and investigation in this case is pending. If the petitioner is granted bail, he will tamper the investigation and the investigation in this case pending and hence, opposed to grant anticipatory bail to the petitioner.

6. Admittedly, the occurrence took place on 16.09.2025. It is also submitted by the learned counsel for the petitioner that the petitioner herein was severely assaulted by the general public for having caused a series of accidents and was subsequently admitted to the Government hospital.

7. Considering the fact that the petitioner was suffering from mental illness at the time of driving the vehicle, now is under custody of his wife, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial**



Magistrate Court-II, Poonamalle on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** **with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) **The respondent is permitted to interrogate the petitioner after taking note of his mental health by issuing prior notice to the wife of the petitioner..**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;



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(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

17.12.2025

Vv

To

1. The Judicial Magistrate-II, Poonamalle
2. The Inspector of Police,
Avadi Traffic Investigation Wing
Chennai District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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