



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.32836 of 2025

1. Shaji Purushothamman

2. Kumar

... Petitioners

Vs

State represented by,

The Assistant Commissioner of Police,

Traffic Investigation, Anna Nagar, Chennai.

....Respondent

For Petitioners : Mr.G.Ashok Kumar

For Respondent : Ms.J.R.Archana

Government Advocate (Crl.side

ORDER

The petitioners who were apprehending arrest at the hands of the respondent police for the offence punishable under Section 304(ii), 308 of IPC and Sections 185, 134, 187 and 181 of Motor Vehicles Act, 1998 in connection with Crime No.354 of 2013, registered on the file of the respondent.



2. Learned counsel for the petitioners submitted that the petitioners are facing trial in S.C.No.19 of 2014 on the file of the learned VI Additional Sessions Judge, Chennai (In charge of VII Additional Sessions Judge, Chennai). He further submitted that they are unable to appear before the trial Court, and the non-bailable warrant was issued on 18.11.2025. He also submitted that the petitioners will undertake that hereafter they will regularly appear before the trial court on all hearing dates and also stated that they are prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the case is now posted on 16.12.2025 and petitioners have to engage the Counsel. He further submitted that there is no previous cases pending against the petitioners. Hence, she opposed for grant of bail to the petitioners.

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



5. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the fact that the petitioners have no previous cases, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **VII Additional Sessions Judge, Chennai**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [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 concerned Trial Court on all working day at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;



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

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

[e] the petitioners 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

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

01.12.2025

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To

1. The VII Additional Sessions Judge, Chennai.
2. The Assistant Commissioner of Police,
Traffic Investigation, Anna Nagar, Chennai.
3. The Public Prosecutor,
Madras High Court.

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K.RAJASEKAR, J.

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