



Crl.O.P.No.1216 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.1216 of 2026

1.Ezhilmathi

2.Kavitha

... Petitioners

Vs.

The State rep. by
Inspector of Police,
Pennadam Police Station,
Cuddalore District.
(Crime No.317 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in event of arrest pending investigation in Crime No.317 of 2025 on the file of the respondent police.

For Petitioners : Mr.Thirumalaivasan Pachiyappan
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 281, 106(1), BNS r/w 185 MV Act**, in **Crime No.317 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners are the school administrators and the school bus was taken by A1 in this case under



the influence of alcohol driven the school bus in rash and negligently and hit against two persons and caused death. Hence, a case has been registered and A1 was arrested.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that they were not aware about that the vehicle was taken by A1 in an intoxicated state and that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners are the school officials and the school bus was driven by A1 in this case and the petitioners are knew that the driver, who engaged by them was not having driving licence however they handed over the vehicle. The learned counsel further submitted that A1/driver of the school bus was arrested and the investigation in this case is still pending. Hence, she opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case; taking note of the submissions made by the learned counsel on either side; the nature of allegations levelled against them; and taking note of the fact that the



petitioners have not driven the vehicle and the driver/A1 was also arrested, I am inclined to grant anticipatory bail to the petitioners, subject to 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Tittakudi, Cuddalore**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned 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;

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(c) The petitioners shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;

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

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To:

- 1.The Judicial Magistrate, Tittakudi, Cuddalore.
2. The Inspector of Police, Pennadam Police Station, Cuddalore District.
- 3.The Public Prosecutor, High Court of Madras.

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