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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30823 of 2026

CNR: {HCMA012563442026}

Govindharaj
S/o. Kumaran,
Chinnamittahalli Village,
Karimangalam Post and Taluk,
Dharmpuri District.

..Petitioner(s)

Vs

State by Inspector of Police
Palacode Police Station,
Dharmapuri District.
Crime No. 406 of 2019

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the Respondent police concerned in Crime No.406 of 2019 on the file of Inspector of Police, Palacode Police Station, Dharmapuri District, on his appearance before the concern Court and thus render Justice.

For Petitioner(s): Sivaraman V

For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 304(ii) of IPC @ 304(ii), 109 IPC, section 5 r/w. 180,181(3) of MV Act, in Crime No.406 of 2019 on the file of the respondent police, seeks anticipatory

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bail.

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2. The case of the prosecution is that the defacto complainant's second son was working as a lecturer at KG engineering College. On the day of the incident, at about 9.15 pm., while he was returning home on his two wheeler wearing a helmet, a car driven by A1 came from the wrong direction near the HP Gas Company and hit the two wheeler. As a result, the deceased died on the spot. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is merely the owner of the vehicle and that the driver (A1), who was arrested on 12.10.2019 has already been released on bail. The petitioner is innocent, has not committed any of the alleged offences, and has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and, on instructions, submitted that the investigation has been completed and the charge sheet has also been filed. However, he opposed to grant anticipatory bail to the petitioner

5. Considering the facts and circumstances of the case, the nature of the allegation, and the fact that the driver (A1) has already been arrested and

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released on bail, and that the investigation has been completed and the charge sheet has also been filed. Taking into account that the FIR is of the year 2019, and that the petitioner who is the owner of the vehicle, apprehends arrest, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 is made ready, before the **learned Judicial Magistrate, Palacode,** 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 of the learned Magistrate concerned, and on further conditions:

(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;

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N.RAMESH, J.

MPA

(c) The petitioner shall report before the respondent Police daily at 10:30 A.M., for a period of two 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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 petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

23-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MPA
To
1. The Judicial Magistrate, Palacode.

2. The Inspector of Police
Palacode Police Station,
Dharmapuri District.
Crime No. 406 of 2019

3. The Public Prosecutor, High Court of Madras.

CRL OP No. 30823 of 2026

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