

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Wednesday, the 18th day of March , 2026

CrI.M.P.No: 1001/2026

P. Prabhu, S/o Pichikaran

....Petitioners/Accused

//Versus//

State Rep. by the Inspector of Police,
Traffic Wing , Redhills Police station
(Crime No: 95/2026)

.....Respondent/Complainant

Petition dated: 09.03.2026 u/s 483 of B.N.S.S., praying to enlarge the petitioner on bail

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s D. Bhakthavachala Babu, S. Jose Raj, and the respondent police through the Public Prosecutor and hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 483 of BNSS praying to enlarge the petitioner on bail who was remanded into judicial custody on 15.02.2026 in Crime No.95/2026 of Traffic Investigation Wing, Redhills Police station for the offence u./s 281, 106(1) of BNS @ 105 of BNS r/w 185 of M.V. Act.

The learned counsel for the petitioner argued that, the petitioner are innocent he has not committed any offence, the occurrence was purely an accident which has been converted by the police as culpable homicide, the petitioner is not in drunken mode and there is no negligence on the part of the petitioner none of the section is attracted, it is purely an accident case, which occurred only due to the negligence on the part of the deceased, the petitioner has no bad antecedents, the petitioner is in judicial custody for the past 32 days, petitioner is ready to cooperate for investigation and will abide by any condition, therefore prayed for granting the bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that on 15.02.2026 at about 7.20 PM, when the defacto complainant's father Balaji was driving his two wheeler bearing Reg.No. TN18BF9212 near Orakkadu Sholavaram Road, Cholipalayam Advantis company from East to West, the petitioner was driving the lorry bearing Reg.No. TN18BQ1951 in a rash and negligent manner and in drunken mode, and also in high speed dashed against the of the deceased, he fell down and sustained head crush injuries and died on the spot, based on the complaint, FIR was registered in Crime No.79/2026 u/s 281, 106(1) @ 281, 105 of BNS and 185 of MV Act, he was arrested on 15.02.2026, and the investigation is pending.

The petitioner states in this petition that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

As per the reply of the learned Public Prosecutor, petitioner is permanent resident and first offender. It appears that substantial part of investigation is completed as the petitioner is in judicial custody for the past 32 days.

Therefore, on considering

- (i) nature of offence,
- (ii) duration of custody of the petitioner for the 32 days
- (iii) it appears that substantial part of investigation is completed
- (iv) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a permanent resident and first offender
- (v) the representation of the learned counsel for the petitioner that the petitioner being local resident will cooperate for investigation and will abide by any condition,
- (vi) and also considering other facts and circumstances,
this Court is inclined to grant bail to the petitioner on imposing conditions.

In the result, bail is granted to the Petitioner on execution of a bond for a sum of Rs.10,000/- with two sureties for the like-sum each to the satisfaction of Judicial Magistrate No.II, Ponneri and on condition that the petitioner to sign before the respondent police daily by 10.00 a.m for 30 days. The sureties shall affix their photographs and shall produce Voter Card or Aadhar Card or Bank Pass Book in proof of their identification. Any violation of the conditions, the Judicial Magistrate is entitled to take action as per the Judgment of the Supreme Court in P.K. Shaji Vs. State of Kerala (AIR 2005 SCR 5560). If the petitioner absconds, a fresh FIR can be registered under Section 269 BNS.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 18th day of March , 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s D. Bhakthavachala Babu
Thiru. S.Murthy , Public Prosecutor for the State
The Judicial Magistrate No.II, Ponneri
The Inspector of police, Traffic Investigation Wing, Redhills police Station
The Superintendent, Central Prison-II, Puzhal, Chennai