



Crl.O.P.No.24840 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 324, 506(ii) and 307 of IPC in Crime No.99 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Dinesh Kumar is that, he along with his college mates would travel to Chennai in electric train and during such time, there used to be frequent quarrel between the students studying in the Presidency College and the Pachaiyappa's College. While so, on 16.08.2022, when he was waiting at the railway station along with his friends, students belonging to the Presidency College under the leader ship of one Yema pelted stones at them. When it was questioned by them, the said Yema had assaulted the *de-facto* complainant with knife on his head, due to which he sustained injuries. Hence, the complaint.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and his name has been falsely implicated since he is a student of Presidency College. He would further submit that main allegations are attributed as against one Yema, who is stated to have inflicted injuries on the head of the *de-facto* complainant. He would further submit that the two accused persons were arrested and released on bail and the injured has also been discharged from the hospital. He would further submit that there is no previous case pending as against the petitioner and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner is a student of Presidency College studying B.Sc Statistics. He along with other accused while travelling in the electric train had assaulted the *de-facto* complainant and they have also pelted stones on the rail coach. He would further submit that investigation is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5. In this case, this Court had directed the petitioner and his parents to be present before this Court. Today, the parents of the petitioner were present before this Court and they submitted that they were not aware of the activities of their son and they would submit that with their meagre income, they are giving education to their son. They would pray that their son may be pardoned.

6. Heard the learned counsels. Taking into consideration the facts and circumstances of the case and also that the future and career of the student should not be spoiled and he should be reformed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Thiruvallur, on condition that the petitioner



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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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the Home Keeper, Sevalaya, Kasuva Village, Pakkam PO near Thiruninravur – 602024 every day for a period of 4 weeks from 6.00 p.m. to 7.30 p.m to help the staffs in the Home for maintenance of the inmates. The respondent police shall obtain a report from the Home and submit the same before this Court. Thereafter, he shall appear before the respondent police on every Saturday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.



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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

8. Post the matter on 21.11.2022 for reporting compliance and the respondent police is directed to obtain a report from the Home and produce the same before this Court.

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