



Crl.O.P.No.26944 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, 341, 323, 324 and 506(ii) of IPC in Crime No.413 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant is that on 28.10.2022, there was a Departmental Function organized by the Visual Communication Department of Hindustan Arts and Science College, Kelambakkam, Chennai. When the Departmental Function was happening, the first and second accused/A1 & A3 tried to enter into the function, they were stopped by the de facto complainant as per the instruction given by the Head of Department (HOD) and the HOD have confiscated their Identity Cards. Thereafter, on the same day evening when the de facto complainant was leaving the College, A1 & A2 stopped the de facto complainant and the petitioner/A3 were came in his bike along with two other unknown accused and they assaulted the de



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facto complainant resulting in him sustaining grievous injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the incident had happened during College Function and the petitioner does not have any previous case against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that during College Function, whereas, there was a clash between the students of two Departments and the petitioner/A3 assaulted the de facto complainant on his face, resulting in him sustaining grievous injuries. He would further submit that the injured has been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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

6. Considering the above facts and circumstances of the case and also the submissions made on both sides, 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-I, Chengalpattu** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** with two sureties (**out of which, one surety should be either the father or mother of the petitioner**), 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:



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[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 his Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioner shall report before the respondent police every Evening at 5.30 a.m. for a period of two weeks and thereafter, every Saturday at 10.30 a.m. until further orders.**

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

**04.11.2022**

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