



Crl.O.P.No.27496 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, 294(b), 323, 324, 332, 336, 353, 435, 436, 379 and 506(ii) of IPC r/w Sections 3, 4 and 5 of TNPPDL Act in Crime No. 236 of 2022 seeks anticipatory bail.

2.The case of the prosecution is that on 17.07.2022, the petitioner along with other accused persons jointly held protest as against the respondent police in respect of not conducting proper investigation in respect of the death of a girl student in a school. At that time, they had caused severe damage to the articles in the school and committed theft of jewels and cash. Hence, the complaint.

3. The learned counsel appearing 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 co-accused in this case has already been enlarged on bail by this Court in Crl.O.P.No.23029 of 2022



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on 22.09.2022. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that there are 26 known accused persons and 424 unknown accused persons. So far 156 accused persons were arrested and 95 accused persons were released on bail. All the occurrence had took place inside of the school campus. The total cost of the damages caused by all the accused persons is about Rs.15 Crores. He would further submit that in respect of the co-accused in this case, this Court had granted bail with a condition that the petitioner shall deposit a sum of Rs.50,000/- to the credit of Crime No.236 of 2022. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioner is a fatherless boy and the petitioner's father had passed away in the year 2013 and he is brought up by his mother, who is a coolie worker. He would further submit that without prejudice, the



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petitioner is ready to deposit an amount of Rs.20,000/-(Rupees Twenty Thousand only) to the credit of Crime No. 236 of 2022. Hence, he prays for grant of anticipatory bail to the petitioner.

6.Heard the learned counsel and perused the entire materials available on record.

7.Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that the petitioner has come forward to deposit an amount of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No. 236 of 2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8.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.II, Kallakuruchi**, on condition that the petitioner shall



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execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.236 of 2022 and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m and 5.30 p.m, for a period of six weeks and thereafter, as and when required for interrogation;

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

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

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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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]**.

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

15.11.2022

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A.D.JAGADISH CHANDIRA, J.

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