



Crl.O.P.No.9747 of 2023

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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 294(b), 324 and 506(ii) IPC in Crime No.37 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner was studying B.A (Economics) at Pachaiyappas College and he used to go to college by electric train from Arambakkam Railway Station to Chennai Central. While so, on 23.02.2023, when he was traveling with his college-mates, there were some clashes among the college students from Presidency College and he was traveling as a passenger in the train. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is a student studying B.A (Economics) in Pachaiyappa's College. The petitioner used to travel by Train from Arambakkam to his College at Chennai and during such time, there was a free fight between the students belonging to two different



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colleges and the petitioner has been implicated on account of mistaken identity, the petitioner's name also was falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner stating that the petitioner is a student of Pachaiyappa's college and the victim is a student of Presidency College and there used to be a group rivalry between the students while travelling in Train and on 23.02.2023, the petitioner along with his classmates, had assaulted the defacto complainant.

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

6. When the matter is taken up for today, the petitioner along with his mother is present before this Court. The mother of the petitioner submitted that she is a single mother and her husband passed away 17 years ago and that with great difficulty she has raised up her children by working as a domestic maid in the house. She also submitted that the



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petitioner is the first son and she is able to give him education in a college with great difficulty and if he is arrested it would not only spoil his future but also the entire family. Hence, she had prayed for grant of anticipatory bail to her son/petitioner . The petitioner herein has also expressed his remorse and submitted that he is ready to do social work in any of the charitable Organization as may be directed by this Court.

7.This court finds it critical that now a days, students are indulging in such kind of activities to show their might. He also expressed his remorse and submitted that he is ready to do social work in any charitable organization as may be directed by this Court. Further, the mother of the petitioner has also given undertaking that his son/petitioner herein, will not indulge in such kind of activities in future

8. Considering the above facts and circumstances of the case and the submissions made on both sides and also the undertaking given by the mother of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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9. 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 is made ready, before **the Egmore Railway Court, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with **two sureties out of which, one surety shall be the 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:

[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 do social work in the rehabilitation center namely MITHRA, No.D171, R.V.Nagar, Anna Nagar, Chennai-600 102, for 1½ hours per day from 12.06.2023 to



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30.06.2023 and a certificate/report obtained from the said rehabilitation center shall be produced before this Court on 30.06.2023.

[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.

Post the matter on 30.06.2023 “for reporting compliance”.

06.06.2023

drl

Note: Issue order copy on 09.06.2023



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A.D.JAGADISH CHANDIRA, J.,

drl

Copy to;

MITHRA,

No.D171, R.V.Nagar,

Anna Nagar, Chennai-600 102

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06.06.2023