



Crl.O.P.No.12755 of 2023

Crl.O.P.No.12755 of 2023

WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offences under Sections 147, 148, 294(b), 323, 324, 332, 336, 353, 435, 436, 379, 506(ii) of IPC and Sections 3, 4, 5 of TNPPDL Act, 1992 @ Sections 147, 148, 294(b), 323, 324, 332, 336, 353, 450, 435, 436, 379, 506(ii), 120(B), 109, 414 of IPC and Sections 3, 4, 5 of TNPPDL Act, 1992 in Crime No.236 of 2022 and on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.07.2022, there was a protest in respect of the death of a girl in a school. During such time, the petitioner along with the other accused apart from assaulting the respondent police officials and causing damage to the respondent vehicles had also subsequently trespassed into the school premises by damaging the compound wall and caused damage to the articles belonging to the school by setting fire. Hence the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and now only, he came to know that he has been arrayed as A476 in this case. He would further submit that the major part of the investigation has been completed and most of the accused are neither released on bail nor granted anticipatory bail. He would also submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that during the protest, the petitioner along with the other accused had damaged the compound wall and entered into the school and further caused damage to the articles belonging to the school. Hence, he opposed for grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that even as per the prosecution, there is no specific allegation as against the petitioner, as if the petitioner had caused damage to the articles belonging to



CrI.O.P.No.12755 of 2023

the school by setting them on fire. He would also submit that without prejudice, the petitioner is prepared to deposit a sum of Rs.20,000/- 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 for the petitioner as well as the learned Government Advocate (crl.side) and perused the entire materials available on record.

7. Taking into consideration the facts and submissions and also taking note of the fact that the petitioner is ready to deposit a sum of Rs.20,000/- 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 directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.236 of 2022**, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered



CrI.O.P.No.12755 of 2023

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, Kallakurichi, on condition that the petitioner shall 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 report before the first respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, on 1st and 3rd Saturday of every month 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;



WEB COPY



CrI.O.P.No.12755 of 2023

[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;

13.06.2023

vkrr



WEB COPY



Crl.O.P.No.12755 of 2023

A.D.JAGADISH CHANDIRA, J.

vkr

Crl.O.P.No.12755 of 2023

13.06.2023