



Crl.O.P.No.15846 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely Sivapathy who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 332, 353 and 506(ii) of IPC in Crime No.117 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case registered for the offences under Sections 294(b), 332, 353 and 506(ii) of IPC in Crime No.117 of 2023 apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, petitioner is a student of Presidency College. On 19.06.2023 at about 09.30.a.m., there was a fight between two groups headed by Sivapathy, Easter Raj and others in connection with the banner made ready for Bus Day. Defacto complainant and other policemen pacified them. Thereafter, petitioner along with other accused scolded the defacto complainant in filthy language. Not only that, petitioner had hit the defacto complainant with stones. As a result, defacto complainant



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suffered injuries. When other police men Karthick, Shadhik tried to nab them, they resisted and hit them with stones and abused them in filthy language. Injured victims have been discharged from the hospital. However, he opposed for grant of bail to the petitioner.

4. Considering the nature, facts and circumstances of the case and considering the age of the petitioner, who is a college student and there is no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner for the reason that custodial interrogation of the petitioner is not necessary.

5. Accordingly, 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 XIII Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioner 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



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which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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 respondent police twice daily at 10.30.a.m., and 05.30.p.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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].



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

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