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Crl.O.P.No.17979 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No. 17979 of 2023

K.Logesh

...Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Railway Police Station
Egmore,
Chennai
Crime No. 152 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No. 152 of 2023 on the file of the respondent police.

For Petitioner : Mr.S.Gopi

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.07.2023 for the offences punishable under sections 147, 148, 341, 294 (b), 324, 336, 506 (ii) and 307 IPC read with Sections 152 and 153 of the Railway Act, 1989 in Crime No. 152 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is a student of Presidency College. In connection with the dispute between the rival group of students, petitioner is falsely implicated in this case. Petitioner is in Judicial Custody from 18.07.2023. Thus, he seeks bail to the petitioner.

3. In reply, the learned Additional Public Prosecutor submitted that, there were two groups and they were frequently fighting with each other. On 18.07.2023, at about 02.40.p.m., when accused and the opposite party were travelling in the electric train from Chennai Beach to Gummidipoondi, there ensued a fight. In the said fight, petitioner and other accused attacked one Rajesh using knife. As a result, Rajesh



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suffered injuries, he was treated in the hospital and discharged.

4. Considering the fact that, petitioner is a college student and he was a part of the students who indulged in violence and also having regard to the fact that petitioner is in judicial custody from 18.07.2023 and that the material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, petitioner is ordered to be released on bail on his executing 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 learned **XVI Metropolitan Magistrate, George Town, Chennai** and on further conditions 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



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respondent police daily at 10.30.a.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].

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

23.08.2023

sma/mac



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To

1. XVI Metropolitan Magistrate,
George Town,
Chennai.
2. Central Prison,
Puzhal.
3. The Inspector of Police,
Railway Police Station,
Egmore,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN. J.

sma/mac

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