



Crl.O.P.No.19574 of 2023

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RMT.TEEKAA RAMAN. J.

The petitioner/A11, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 332, 336 and 506(ii) of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, r/w Sections 152 and 153 of Railway Act, 1989, in Crime No.125 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the Presidency College students and Pachaiyappa's College Students, the petitioner along with other accused, who belong to Presidency College, have attacked the Pachaiyappa's College students travelling in the Train and abused them in filthy language and caused damaged to the Railways and general public. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely roped in this case. He would further submit that the petitioner is a student, who is studying 3rd year in the Presidency College and he was also travelling in the same



Crl.O.P.No.19574 of 2023

train on the day of incident. He would also submit that A1 and A2 were arrested and thereafter, they were released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) for the respondent police would submit that there are totally 12 accused in this case in which, the petitioner is arrayed as A11. Based on the confession statement of the A1 this petitioner's name has been included in the F.I.R. He would further submit that the petitioner along with other accused abused the students, who are travelling in the train and attacked them with stones and thereby caused damages worth of Rs.25,000/- to the railways. He would further submit that A1 and A2 in this case have been arrested and released on bail. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



Crl.O.P.No.19574 of 2023

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6.Taking into consideration the facts and circumstances and taking note of the fact that the co-accused have been granted bail, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

7. Accordingly, **the petitioner is directed to make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of District Revenue Officer, Thiruvallur District**, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Tiruvottiyur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:



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Crl.O.P.No.19574 of 2023

[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 is directed to make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of District Revenue Officer, Thiruvallur District.

[c] the petitioner shall report before the respondent police daily at 10.30 a.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 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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Crl.O.P.No.19574 of 2023

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

03.04.2024

nvi



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Crl.O.P.No.19574 of 2023

RMT.TEEKAA RAMAN, J.

nvi

Crl.O.P.No.19574 of 2023

03.04.2024