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Crl.O.P.No.24136 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324, 506(ii) of IPC in Crime No.182 of 2023, seeks anticipatory bail.

2.It had been stated that the petitioner is studying B.A (Political Science) third year in Presidency College and in the bus route in which he travels, there was a group clash in which, the defacto complainant got a cut in his right hand fingers. It is stated that the 1st, 2nd and 3rd accused had been arrested and had been subsequently granted bail.

3.The earlier anticipatory bail petition was dismissed on 21.09.2023 in Crl.O.P.No.20552 of 2023, but the learned Judge had stated that a fresh petition can be filed after a passage of time or if there is change in circumstances.



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4.The first change in circumstance is that the defacto complainant had been discharged from hospital and the second change in circumstance is that the 1st , 2nd and 3rd accused had been arrested and had been subsequently granted bail.

5.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.

6.. 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 made ready, before the learned II Metropolitan Magistrate, Egmore, 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 the two sureties one of the surety must be either the father or mother of the petitioners**, 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



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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 respondent police daily at 5.30 p.m., until further orders.

[c] the fact that the petitioner stand as accused in Crime No.182 of 2023 registered by the respondent police under Sections 341, 294(b), 323, 324 and 506(ii) of IPC must also be informed by the learned II Metropolitan Magistrate, Egmore, Chennai, to the college where the petitioner is studying and it should be entered in the record of the college.

[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



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down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

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