



CrI.OP.No.25803 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.25803 of 2023

Libeesh

...Petitioner

Vs.

The State represented by its
The Inspector of Police,
Indian Railway Police,
Egmore, Chennai 8.
Crime No.197 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in Crime No.197 of 2023 on the file of the respondent Police.

For Petitioner : Mr.G.Kartheeban

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner/A1 who was arrested and remanded to judicial custody on 08.10.2023, registered by the respondent under Sections 147, 148, 294(b), 324 and 307 of IPC in Crime No.197 of 2023, seeks bail.



CrI.OP.No.25803 of 2023

2.It is stated that the petitioner is a student of Presidency College and there was a group class between the students of two separate colleges. When the injured person and his friends were waiting at Beach Railway Station, the petitioner herein and the named second accused and several other accused attacked the injured on the head by using knife.

3.The learned counsel for the petitioner stated that the petitioner has been in custody for past 53 days and that he is a student.

4.This is the second application for bail and the earlier application for bail had been dismissed by this Court on 31.10.2023 in CrI.O.P.No.25002 of 2023 and it had been observed that A2 is still absconding.

5.It is stated that A2 is now attending the College and the College Authorities had also been informed this particular fact.

6.Taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten



CrI.OP.No.25803 of 2023

Thousand only) with two sureties (out of which, one surety must be either the father or mother of the petitioner), 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 respondent Police, everyday at 10.30 a.m., until further orders.

[c] the XVI Metropolitan Magistrate, George Town, Chennai, may inform the college authorities/Presidency College about the involvement of this petitioner in Crime No.197 of 2023 registered under Sections 147, 148, 294(b), 324 and 307 of IPC and also that this fact must be recorded in the records of the College and it must be reflected in the Certificates issued to the petitioner.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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CrI.OP.No.25803 of 2023

[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].

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

01.12.2023

vkr

To

- 1.The XVI Metropolitan Magistrate, George Town, Chennai.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
Indian Railway Police,
Egmore, Chennai 8.
- 4.The Public Prosecutor,
High Court of Madras.



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CrI.OP.No.25803 of 2023

C.V.KARTHIKEYAN. J.

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CrI.O.P.No.25803 of 2023

01.12.2023