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Crl.O.P.No.26727 of 2023

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C.V.KARTHIKEYAN, J.

Petitioners/A16, A18, A20 and A22 in Crime No.139 of 2023, registered under Sections 147, 148, 294(b), 336 and 506(ii) of IPC r/w. Section 152, 153 of Railway Act, 1989, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3.It is stated that on 9.10.2023, a complaint had been given that two sets of College students viz., from Pachaiyapps's College and the Presidency College students had clashed with each other and had also thrown stones in the train. Earlier applications had been considered by this Court and anticipatory bail is granted. The petitioners herein are students of the Presidency College. Taking all these factors into consideration, anticipatory bail is granted.

4.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XVI Metropolitan Magistrate Court, G.T at Chennai**, on condition that the petitioners each shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (**one of the surety must be either mother or father of the petitioner**) 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 shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners to appear before the respondent police **every day at 10.30 a.m, for a period of two weeks and thereafter** as and when required for interrogation.

The learned **XVI Metropolitan Magistrate may inform** the Principal of the Presidency College, where the petitioners are studying that the petitioners are accused in Crime No.139 of 2023, registered under Sections 147, 148, 294(b), 336 and 506(ii) of IPC r/w. Section 152, 153 of Railway Act, 1989, and



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this fact must be reflected in every certificate issued to the petitioners.

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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

24.11.2023

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