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Crl.O.P.No.28693 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seek anticipatory bail in Crime No.197 of 2023 registered by the respondent police for the offences under Section 147, 148, 294(b), 324 and 307 IPC.

2. The learned counsel for the petitioner states that he has been falsely implicated as an accused in Crime No.197 of 2023 registered by the respondent police for the offences under Sections 147, 148, 294(b), 324 and 307 IPC for an occurrence which had taken place on 05.10.2023. He is innocent. Thus, he prays for grant of anticipatory bail to the petitioner.

3. It is stated that the petitioner is studying 1st year B.A. Economics in Presidency College. When the defacto complainant was sitting in a train, the petitioner along with other accused had assaulted him using knife.



Crl.O.P.No.28693 of 2023

WEB COPY

4. An earlier application seeking anticipatory bail was dismissed on 31.10.2023 in Crl.O.P.No.24688 of 2023. The one change in circumstances A1 had been granted bail and substantial Investigation had also been done.

5. Taking all those factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 **XVI Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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:



Crl.O.P.No.28693 of 2023

WEB COPY

[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 10.30 a.m., until further orders.

[c] Additionally, the learned XVI Metropolitan Magistrate, George Town, Chennai may intimate to the Principal of the Presidency College, where the petitioner is studying first year B.A. Economics, about the pendency of FIR in Crime No.197 of 2023 registered under Sections 147, 148, 294(b), 324 and 307 of IPC as against the petitioner herein to be recorded in the registers and to be reflected in the certificates issued to the petitioner.

[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.



CrI.O.P.No.28693 of 2023

WEB COPY

[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 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]**.

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

22.12.2023

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CrI.O.P.No.28693 of 2023

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CrI.O.P.No.28693 of 2023

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