



Crl.O.P.No.12512 of 2024

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WEB C **C.SARAVANAN, J.**

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 323, 324, 427 and 506(ii) of IPC in Crime No.255 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the second accused is the petitioner herein and he is a college student. Due to the clash between the junior and senior students, the petitioner and the other co-accused entered into the de-facto complainant's house, abused in filthy language and caused injuries to the de-facto complainant and other students and also damaged the house hold articles. Hence the complaint.

3. Learned counsel for the petitioner would submit that one of the co-accused has been granted anticipatory bail in Crl.M.P.No.1281 of 2024 dated 15.05.2024 before the Vacation Sessions Judge, Chengalpet. Further, he submitted that merely the petitioner was present at the scene of the alleged crime, he has been falsely implicated in this case. Therefore, he submits that the petitioner may be granted anticipatory bail.



Crl.O.P.No.12512 of 2024

4. Learned Government Advocate (Crl.side) appearing for the respondent

confirms that the petitioner has no history of any criminal case and that the petitioner is a college student and he was also present in the scene of occurrence. She further submitted that the petitioner involved in the alleged in the incident and inflicted head injury to the de-facto complainant and nose and mouth injuries to another student. She also confirmed that the injured persons are discharged from the hospital and that, one of the co-accused has been granted anticipatory bail in Crl.M.P.No.1281 of 2024 dated 15.05.2024 before the Vacation Sessions Judge, Chengalpet. SHowever, she opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made by either sides and the fact that the injured has been discharged from the hospital, the Court is inclined to grant Anticipatory Bail to the petitioner and the petitioner shall be released immediately on bail, in the event of arrest or on his appearance, with subject to the following conditions :-

[a] the petitioner shall appear before the **learned Judicial Magistrate No.II, Chengalpattu**, within a period of



fifteen days from the date on which the order copy made ready.

[b] 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.

[c] 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.

[d] The petitioner shall pay a sum of Rs.20,000/- (Rupees Twenty thousand only) to the Sivananda Gurukulam, Kattankolatur, Chengalpattu District and the proof of payment has to be produced before the concerned Court at the time of execution of bond.

[e] the petitioner shall co-operate with the respondent police in the proposed investigation in Crime No.255 of 2024 and also appear before the respondent police as and when required for interrogation.

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

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

[h] 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



CrI.O.P.No.12512 of 2024

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]**.

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

24.05.2024

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Crl.O.P.No.12512 of 2024

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Crl.O.P.No.12512 of 2024

24.05.2024