



CrI.O.P.No26310 of 2024

CrI.O.P.No.26310 of 2024

WEB COPY

P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 332, 353 and 506(ii) of IPC in Crime No.117 of 2023 seeks anticipatory bail.

2. The case of the prosecution is that on 19.06.2023 at about 9.30a.m., the defacto complainant Mr.Nandha who is working as 2nd Grade Constable in 25th Platoon Arm Reserved Police was placed on duty near the Presidency College Bus Stop near the P.W.D Office, Anna Square has noticed that the students of Presidency College holding banners regarding the bus day celebration and who was split into two gangs and started quarrelling with each other and using abusive language. As soon as the complainant saw them quarrelling, he stopped and tried to catch them. Then at the time, A1 and others started throwing stones against the complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the



CrI.O.P.No26310 of 2024

petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. He further states that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the students of Presidency College holding banners regarding the bus day celebration and who was split into two gangs and started quarrelling with each other and using abusive language. As soon as the complainant saw them quarrelling, he stopped and tried to catch them. Then at the time, A1 and others started throwing stones against the complainant. He further submits that the petitioner is having one previous case regarding NDPS case. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.



CrI.O.P.No26310 of 2024

WEB COPY

6. Considering the nature of offence, co-accused was enlarged on bail and there is no similar kind of offense against the petitioner and also the fact that the petitioner is a College Student and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. 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 Court, 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 each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days.

[b] the petitioner shall not tamper with evidence or witness either



CrI.O.P.No26310 of 2024

during investigation or trial.

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

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

25.10.2024

Vv



WEB COPY



CrI.O.P.No26310 of 2024

P.DHANABAL, J.

Vv

CrI.O.P.No.26310 of 2024

25.10.2024