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Crl.O.P.No.9233 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.9233 of 2025

Shyam @ Shayam
S/o. Sekar

....Petitioner/Accused
Rank not known

Vs

The State Rep. by
The Inspector of Police,
Chennai Central Railway Police Station,
Chennai
Crime No.61 of 2023

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No.61 of 2023 on the file of the respondent police.

For Petitioner	: Mr. A. Vinoth Kumar
For Respondent	: Mr. S.Balaji Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b) and 506(i) of IPC r/w 152, 153 Railways Act 1989, in Crime No.61 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.02.2023, there was a quarrel between two college students at Basin Bridge Railway station, in which both sides attacked each other by pelting stones and threatened with dire consequences. Hence, FIR has been registered against them including the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case based on the confession of the co-accused and that the petitioner is ready to provide sufficient solvent sureties and to abide by any conditions that may be imposed by this Court and prayed for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is implicated on the confession of the co-accused.

5. Considering the nature of allegations, the fact that the complaint has been registered in the year 2023 and the petitioner has not been arrested so far and that the other co-accused had been arrested and released on bail and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 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



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for anticipatory bail shall stand dismissed and on further condition that:

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

[d] the petitioner 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 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].



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

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To

1. The XVI Metropolitan Magistrate, George Town, Chennai
2. The Inspector of Police,
Chennai Central Railway Police Station,
Chennai
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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