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Crl.O.P.No.1062 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2025**

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1062 of 2025

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Petitioner(s)

Vs

The State represented By,
The Inspector Of Police,
Avadi Railway Police Station,
Chennai District.
Crime No.102 of 2024

Respondent(s)

For Petitioner(s):

Mr.Parthipan J

For Respondent(s):

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.102 of 2024 registered for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023, r/w. Sections 152, and 153 of the Railways Act, the present petition has been filed seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioner, false implication

in the case, learned counsel for the petitioner seeks indulgence of this court.

He would submit that this is second application for anticipatory bail. He would submit that from the CCTV footage, it would show that the petitioner was only standing with the other accused persons and he has not assaulted any of the passengers/victim. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for the grant of anticipatory bail is that, the petitioner is one of the gang members, he along with the other accused without any provocation had assaulted the passengers waiting in the railway platform and caused injuries to them. He would further submit that the co-accused was arrested and still in custody.

4. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police, and perused the materials available on record, considering the facts and submissions of either side, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. 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 **Judicial Magistrate No-II, Poonamalle**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police everyday at 06.30 p.m., for a period of two weeks and during such time, the petitioner shall help the respondent police in distributing the awareness pamphlets to the passengers in Avadi Railway station and thereafter, on every first Saturday of every month 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;



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[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]**;

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

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