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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

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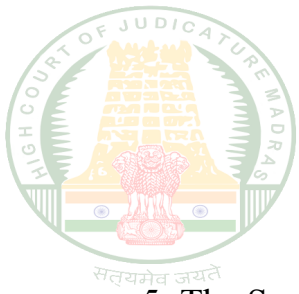
THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.27676, 27493, 27688 & 28311 of 2024

Chandru	... Petitioner in Crl.O.P.No.27676 of 2024
S.Eswar	... Petitioner in Crl.O.P.No.27493 of 2024
Yuvaraj	... Petitioner in Crl.O.P.No.27688 of 2024
Eswaran	... Petitioner in Crl.O.P.No.28311 of 2024

Vs.

1. The State represented by,
The Inspector of Police,
G-2 Periamet Police Station,
Periamet, Chennai 600 010.
2. The Secretary,
The Secretary to Government of Tamil Nadu,
Higher Education,
Fort St. George, Chennai - 9.
(R2 suo motu impleaded as per order dated 22.11.2024
in Crl.O.P.No.27676 & batch of 2024)
3. The Principal,
Pachiyappa's College, Chennai.
4. The Principal,
Presidency College, Chennai.



5. The Secretary to Government of Tamil Nadu,
School Education,
Fort St. George, Chennai - 9.

(R3 to R5 suo motu impleaded as per order dated 27.11.2024
in Crl.O.P.No.27676 & batch of 2024)

(Crime No.228 of 2024).

... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.228 of 2024, pending investigation on the file of the respondent Police.

For Petitioner in Crl.O.P.Nos.27676

& 27688 of 2024

: Mr.P.Muthamizhselvakumar

For Petitioner in Crl.O.P.Nos.27493 of 2024 : Mr.S.Mohan Raj

For Petitioner in Crl.O.P.Nos.28311 of 2024 : Mr.D.Dhanasekar

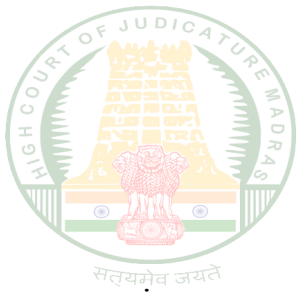
For R1 in all Crl.O.Ps.,

: Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

Petition seeking bail in respect of Crime No.228 of 2024 registered for the offences punishable under Sections 191(2), 126, 296(b), 115(2), 109, 351(3) of BNS, 2023, which was, later, altered into one under Sections 191(2), 126, 296(b), 115(2), 109, 351(3), 103 of BNS, is on board for consideration.

2. The incarceration of the petitioners being from 04.10.2024 pleading



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innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seeks indulgence of this Court. He also submits that the petitioners have nothing to do with the alleged offence and they are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners, who are pursuing their bachelor degree in Pachayappa's College, in a group rivalry against another group of students of another College in Chennai City, had assaulted a student by name Sundar and caused his death. He would further submit that there are seven accused in this case and the investigation in this case is still pending.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of which, one of the sureties**



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should be either the father or mother of the petitioners), each for a like sum to the satisfaction of the learned II Metropolitan Magistrate, Egmore, and on further conditions that :

[a] 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 petitioners in CrI.O.P.Nos.27676 & 27493 of 2024 shall report before the Resident Medical Officer, Rajiv Gandhi Government General Hospital, Chennai, who shall depute them to the Trauma Ward to assist the Attendants therein between 10.00 am to 2.00 pm., from their date of release till 19.12.2024 ;

[c] the petitioners in CrI.O.P.Nos.27688 & 28311 of 2024 shall report before the Resident Medical Officer, Government Kilpauk Medical College Hospital, Chennai, who shall depute them to the Trauma Ward to assist the Attendants therein between 10.00 am to 2.00 pm., from their date of release till 19.12.2024 ;

[d] the petitioners shall appear before this Court on 20.12.2024 along with Reports of the RMO concerned in this regard;

[e] each petitioner shall, in his own handwriting, submit before this Court a write-up of his experience in the



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trauma ward during the above period;

[f] the petitioners shall not abscond either during investigation or trial;

[g] the petitioners shall not tamper with evidence or witness 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 petitioners 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]*;

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

5. Post the matter on **20.12.2024** for reporting compliance.

02.12.2024

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To

1. The II Metropolitan Magistrate,
Egmore.
2. The Inspector of Police,
G-2 Periamet Police Station,
Periamet, Chennai 600 010.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.
5. The Resident Medical Officer,
Government Kilpauk Medical College Hospital, Chennai.
6. The Resident Medical Officer,
Rajiv Gandhi Government General Hospital, Chennai.



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A.D.JAGADISH CHANDIRA.,J.

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CrI.O.P.Nos.27676, 27493,
27688 & 28311 of 2024

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