

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.26111 of 2018

MOHAMMED SHAHID

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CCB, COIMBATORE CITY POLICE STATION,
COIMBATORE. CR.NO.46 OF 2018.

For Petitioner : M/S.S.D.VENKATESWARAN Advocate

For Respondent : MRS.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A6 who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 193, 196, 199, 200, 468, 471, 420 r/w Sec.109 of IPC, in Crime No.46 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the medical certificates were forged and issued by the Doctors viz., 4th and 5th accused and these documents are in the custody of the Special Court for the cases under NDPS Act, Coimbatore. The only averment as against the father of the petitioner/6th accused and the petitioner/6th accused is the insistence of their advocate, the 1st accused in the above crime. The gravity of the complaint culminating into filing of the above FIR would show that the petitioner/6th accused ought not to have committed the alleged offence.

3.The learned counsel for the petitioner would submit that the petitioner is the 6th accused and the first accused was granted anticipatory bail by the Principal District and Sessions Court and the other accused 2 to 5 were granted anticipatory bail by this Court. There is no previous case against the petitioner and he has been falsely implicated in this case.

4.The learned counsel for the petitioner would submit that the petitioner had appeared for enquiry before the Kattoor Police Station, Coimbatore. Hence, a case has been registered as against the petitioner before the respondent police.

5.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The defacto complainant has given a false complaint before the respondent-police and based on the false complaint, the respondent police have registered a case as against the petitioner. The petitioner further submits that according to the FIR, the petitioner/6th accused ought not to have committed the alleged crime. Accordingly, he prays for grant of anticipatory bail.

6.The learned Additional Public Prosecutor appearing for the respondent would submit that the accused have produced fake marriage invitation and receipt for the marriage. No other case is pending as against the petitioner.

7.Considering the above facts and circumstances of the case, and also taking into account the fact that the co-accused have been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner.

8.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Coimbatore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 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 / Trial Court 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 10.30a.m for a period of two weeks and thereafter as and when required.

-sd/-

15/11/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.III, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PRINCIPAL DISTRICT AND
SESSIONS COURT, COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

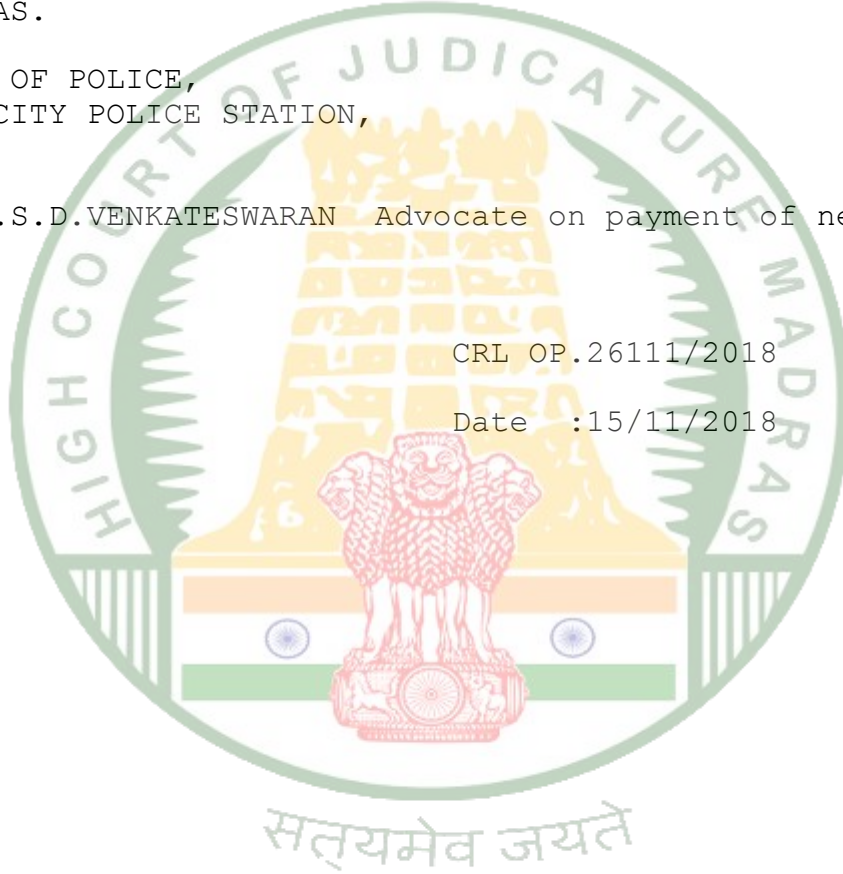
5 THE INSPECTOR OF POLICE,
CCB, COIMBATORE CITY POLICE STATION,
COIMBATORE.

+1 CC to M/S.S.D.VENKATESWARAN Advocate on payment of necessary
charges-Sr.21574

CRL OP.26111/2018

Date :15/11/2018

ths : 20.11.2018



WEB COPY