

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM:

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

Cr1.O.P. No.13043 of 2020

1.Purusothaman
2.Sathishkuamr

... Petitioners

vs

The State represented by
Inspector of Police,
District Crime Branch,
Coimbatore District.
(Crime No.11 of 2020)

... Respondent

Prayer :- Criminal Original Petition filed under Section 438 Cr.P.C. Praying to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.11 of 2020 on the file of the respondent, on such terms and conditions.

For Petitioners : Mr. S.N.Arunkumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioners who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 406, 420 and 467 IPC, in Crime No.11 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioners have received notice under Section 41 A and that they seeks anticipatory bail in Crime No.11 of 2020 registered for offences punishable under Sections 406, 420 and 467 IPC. He further submitted that the case of civil nature has been attempted to be converted as criminal nature. He would submit that the first petitioner's son one Harish Kumar is getting married on 29.08.2020 and coming to know about the marriage, the *de facto* complainant has given a false complaint and now with the help of police attempting to settle the issue with the help of police action.

3. The learned Additional Public Prosecutor would submit that the respondent had issued notice to the petitioners under Section 41A Cr.P.C. directing them to appear for enquiry.

4. Considering the facts and circumstances of this case and that the notice has been issued under Section 41A Cr.P.C., the respondent is directed to follow the procedures set out under Section 41A Cr.P.C. The petitioners shall comply with the terms of the notice and co-operate with the investigation. If the respondent feels that arrest is deemed necessary after appearance of the petitioner, the respondent shall record the reason for such eventuality as contemplated under Section 41 A(3) Cr.P.C. and shall adhere to the procedures and thereafter state the reasons and he shall also communicate the same to the petitioner and in such case, the petitioner is at liberty to file necessary application before the Court seeking anticipatory bail.

4. With the above observation, this Criminal Original Petition stands closed.

-sd/-

27/08/2020

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 COURT,
METTUPALAYAM, COIMBATORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE DISTRICT.

CC to M/S C.RAMKUMAR Advocate on payment of necessary charges

CRL OP.13043/2020

Date :27/08/2020

MK:14/09/2020