



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.2618 of 2021

Meeran

... Petitioner

Vs.

State represented by,
Inspector of Police,
Race Course Police Station,
Coimbatore District.
Crime No.91/2021

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.91 of 2021 pending investigation on the file of the respondent.

For Petitioner : Mr.A.Nowpal

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 468, 469, 471, 472, 473, 474, 177, 182, 193, 196, 197 and 198 of IPC in Crime No.91 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.02.2021 at 13.00 hours, one Palanisamy and Devi were produced the sureties for one Senthil Kumar before the learned Special Court, TNPID, Coimbatore and the same was found fabricated and false by the court. Hence, the case was registered against the petitioner by the defacto complainant.



3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that since the co-accused/A3 has been enlarged on bail by the learned Judicial Magistrate No.3 of Coimbatore in Crl.MP.No.386 of 2021 dated 05.02.2021, hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that on 01.02.2021 at 13.00 hours, one Palanisamy and Devi were produced the sureties for one Senthil Kumar before the learned Special Court, TNPID, Coimbatore and the same was found fabricated and false by the court. He further stated the co-accused/A3 has been enlarged on bail by the learned Judicial Magistrate No.3 of Coimbatore in Crl.MP.No.386 of 2021 dated 05.02.2021. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the fact that the the co-accused was enlarged on bail by the the lower court , this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned Judicial Magistrate No.3, Coimbatore 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 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 Court concerned 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 for a period of two weeks and thereafter as and when required for interrogation.

(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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
15/06/2021

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.3, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
RACE COURSE POLICE STATION,
COIMBATORE DISTRICT.

CC to M/S.A.NOWFAL Advocate on payment of necessary charges

CRL OP.2618/2021

Date :15/06/2021

cs 12/07/2021