

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.OP.No.9684 of 2021

1.Zakir  
2.Jabir Shariff  
3.Sabir Shariff

... Petitioners

Vs.

State represented by  
The Inspector of Police,  
Bagayam Police Station,  
Vellore District.  
(Crime No.183 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,  
praying to enlarge the petitioner on bail in the event of arrest in  
Crime No.183 of 2021 on the file of the respondent police.

For Petitioners : Mr.C.S.Saravanan

For Respondent : Mr.A.Damodaran,  
GA (Crl.Side)

O R D E R

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) IPC, in Crime No.183 of 2021 on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that the defacto complainant is running a mobile spare parts shop. The petitioners approached the defacto complainant and attacked him with knife and iron rod. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the injured was discharged from hospital.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Vellore, on condition that the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners and 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 shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-  
27/05/2021

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.I, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
BAGAYAM POLICE STAION, VELLORE DISTRICT.

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

CRL OP.9684/2021

Date :27/05/2021

cs 07/07/2021



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