



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.11971 of 2021

R.K.Arumugam

... Petitioner

Vs.

The State Represented by :-

The Inspector of Police,
Thudiyalur Police Station,
Coimbatore District.
(Crime No.66 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.66 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.K.R.Gunashekar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 448, 294(b), 506(ii) and 379 of IPC in Cr.No.66 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with two others entered into the house of the defacto complainant and threatened her daughter and committed theft of 7 grams of gold and one bag. The respondent police have registered FIR based on complaint given by the defacto complainant.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he is not committed any offence as alleged by the prosecution and he is no way connected in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (crl. side) appearing for the respondent submitted that no one sustained injuries.

5. Considering the facts and circumstances of the case and also the fact that no case pending against the petitioner, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, 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 petitioners in accordance with law as if the conditions have been imposed and the petitioner 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/-
12/07/2021

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,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE,
COIMBATORE DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
THUDIYALLUR POLICE STATION,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.R.GUNASHEKAR Advocate on payment of necessary
charges SR.NO.7281

CRL OP.11971/2021

Date :12/07/2021

INBA 29/07/2021