



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Ninth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16178 of 2021

JAYARAMAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
METTUPALAYAM POLICE STATION,
METTUPALAYAM,
COIMBATORE DISTRICT.
CRIME NO.1047/2021

[RESPONDENT]

For Petitioner : M/S.R.PRABUDOSS Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 448, 294(b), 427 and 506(ii) of IPC in Crime No.1047 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 in this case has allegedly trespassed into the field of the defacto complainant and caused damage to banana trees by using JCB, in this connection there was a wordy quarrel between them and A1 has threatened the defaco complainant with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is the driver of the JCB and he is no way connected with the offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that there was a dispute between A1 and the defacto complainant regarding lease, the present complaint has been filed. He further submits that the co-accused was already enlarged on bail by this Court in Crl.OP.No.14988



of 2021 dated 23.08.2021. However, he vehemently opposed for grant of anticipatory bail to these petitioner.

5. Considering the submissions made by both counsel and also the fact that the co-accused was already enlarged on bail and there is no serious allegations made 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, Mettupalayam, Coimbatore District 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/-

09/09/2021

WEB COPY

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,
METTUPALAYAM, COIMBATORE DISTRICT.

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

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

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S.R.PRABUDOSS Advocate on payment of necessary charges

CRL OP.16178/2021

Date :09/09/2021

INBA 24/09/2021