



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM

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

Cr1.O.P.No.21949 of 2021

B.Nithin

... Petitioner

Vs.

State Represented by
The Inspector of Police,
Ramanathapuram Police Station,
Cimbatore District.
Crime No.914 of 2021

... 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 by the respondent police concerned in Crime No.914 of 2021 on the file of the respondent.

For Petitioner : Mr.M.Vinoth

For Respondent : Mr.N.S.Suganthan
Government Advocate (Cr1. Side)

O R D E R

The petitioner who apprehends arrest for the alleged offence under Sections 447, 294(b), 323, 307, and 506 (ii) of IPC, in Crime No.914 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between A1, A2 in this case and the defacto complainant for selling of ganja, due to which, petitioner along with three others have illegally entered into the house of one Marimuthu and assaulted the defacto complainant with knife and caused injuries to him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.side) submits that injured was discharged from the hospital and the investigation was almost completed.

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5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from hospital and the investigation was almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate - VI, Coimbatore, on condition that the petitioner shall execute a bonds 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 condition that:

[a] the petitioner 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 petitioner is directed to report before the respondent police on every Wednesday and Saturday at 10.30 a.m., for a period of four 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 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].



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

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-sd/-

22/11/2021

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.VI, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT. [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.VINOTH Advocate on payment of necessary charges
SR.NO.13197

CRL OP.21949/2021

Date :22/11/2021

RW 29/11/2021