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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25741 of 2021

R. Arun @ Arunkumar ... Petitioner

Versus

The State Rep by
The Inspector of Police,
Thudialur Police Station,
Coimbatore District.
(Crime No.1713 of 2021)

... Respondent

Prayer:-Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.1713 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr. M. Murugesan

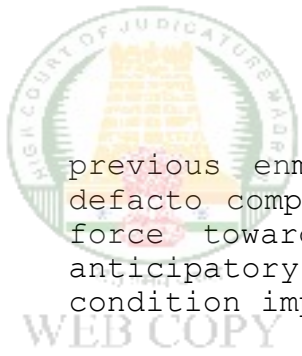
For Respondent : Mr.A.Gokulakrishnan
(Additional Public Prosecutor)

O R D E R

The petitioner, who apprehends arrest for the alleged offences under Sections 294(b) 341, 324 and 506(ii) of IPC, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant came to VSK Nagar, with his friends, the petitioner who is arrayed as A2 in this case, scolded with filthy language and attacked them with deadly weapons. Hence this complaint.

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. Further he submits that the defacto complainant and his friends voluntarily came to the petitioner village and try to attack the A-1 due to



previous enmity with him. In order to prevent the attack of the defacto complainant and others person, the petitioner used a trivial force towards them. Hence, the learned counsel prays to grant anticipatory bail to the petitioner as he shall abide by any condition imposed by this Hon'ble Court.

4.The learned Government Advocate (Crl.side) submits that the investigation is almost completed. Since the petitioner is involved in this case, he opposed for grant of anticipatory bail to him.

5. Considering the facts and circumstances of the case and submissions of the learned counsel of either side, as the investigation is 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned learned Judicial Magistrate Court No.1, Coimbatore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 on 1st and 3rd Wednesday at 10.30 a.m. of every month until further orders and as and when required for interrogation and the petitioner shall appear before the respondent police 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 anticipatory 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.

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23/12/2021

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.[FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S M.MURUGESAN Advocate on payment of necessary charges SR.NO.15589

CRL OP.25741/2021

Date :23/12/2021

RW 04/01/2022