



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.103 of 2022

WEB COPY

1.Basheer  
2.Ijaz Akamathu  
3.Jarina Begam  
4.Ibrahim

... Petitioners

Versus

The State represented by  
The Inspector of Police,  
Race Course Police Station,  
Coimbatore City.  
(Crime No.980 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest or surrender in Crime No.980 of 2021 on the file of the respondent police.

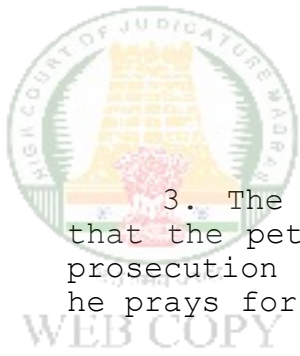
For Petitioners: Mr.I.Sabeer Mohamed

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Crl. Side)  
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O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 506(i) of IPC in Crime No.980 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 28.12.2021 the respondent police has received an information from CMC Hospital Outpost vide IR.No.12068 of 2021, then he rushed to the hospital where the defacto complainant was admitted in Yellow Zone Drama Ward and she has given a statement wherein stated that as she is residing in D.No.73, Perumal Koil Veethi, P.N.Palayam, Covai for the past six months as a tenet. Since due to family wordy quarrel this case was foisted as against the petitioners. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that all were same family members, there is some wordy quarrel. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate No.III, Coimbatore, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **(\*)two common 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 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 requires 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

06/01/2022

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.

**(\*) Being mentioned as per order of this Court dated 02/02/2022 Made in Cr1.O.P.NO. 103/2022**

TO

1 THE JUDICIAL MAGISTRATE,  
NO.III, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
RACE COURSE POLICE STATION,  
COIMBATORE CITY.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to MR.I.SABEER MOHAMED Advocate on payment of necessary charges

CRL OP.103/2022

Date :06/01/2022

RW 12/01/2022

RW 14/02/2022