



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2022

CORAM:

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

Cr1.O.P.No.1175 of 2021

M.Ramesh

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Sulur Police Station,
Coimbatore.
(Crime No.990 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.990 of 2021, on the file of the respondent Police.

For Petitioner : M/s.SMS Law Chambers

For Respondent : MR.A.Gokulakrishnan,
Additional public Prosecutor

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 399 of IPC, in Cr.No.990 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 23.10.2021 at about 08.30 p.m., the defacto complainant and his friends went to attend nature's call. At that time, the petitioner and other accused planned to commit decoity. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner and the defacto complainant are having some dispute while playing foot ball due to which the defacto complainant preferred a false complaint against this petitioner. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submits that the Co-accused has been arrested and released on bail and there are two previous cases pending against this petitioner and the investigation is almost completed.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner 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 Principal District and Sessions Judge, 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, 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 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 a.m., for a period of four weeks and thereafter as and when required for an 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 has 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.

WEB COPY

-sd/-
20/01/2022

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.

TO

1 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, COIMBATORE.

2 THE INSPECTOR OF POLICE
SULUR POLICE STATION,
COIMBATORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.SMS LAW CHAMBERS Advocate on payment of necessary
charges SR.NO.861

CRL OP.1175/2022

Date :20/01/2022

JPA 24/01/2022