



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.4186 of 2022

N.R.SENTHILKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
COIMBATORE CITY,
COIMBATORE.
(CRIME NO.7 OF 2019)

[RESPONDENT]

For Petitioner : M/S. C.PRAKASAM Advocate

For Respondent : MR.S.UDAYAKUMAR, Govt. Advocate (Crl. Side)

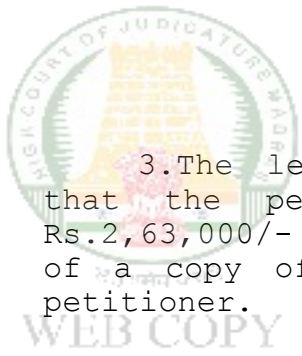
For Intervenor : MR.R.PRABAKAR for MR.R.SIVAKUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 409, 420 and 506(i) IPC in Cr.No.7 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. On the earlier occasion, the petitioner filed a memo stating that he is ready to pay a sum of Rs.2,63,000/- to the defacto complainant. Based on the undertaking given by the petitioner, this Court granted anticipatory bail to him on 06.02.2020 with certain conditions. However, the said amount was not paid to the defacto complainant and hence, the anticipatory bail granted by this Court was cancelled vide order dated 20.11.2020 in Crl.OP.No.13434 of 2020.



3. The learned counsel appearing for the petitioner submitted that the petitioner is ready to pay the balance amount of Rs.2,63,000/- within a period of two weeks from the date of receipt of a copy of this order. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl side) appearing for the respondent submitted that if the petitioner is ready to pay the aforesaid amount to the defacto complainant, he has no objection to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the petitioner is ready to pay the balance amount to the defacto complainant, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-VII, 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 and on further condition that:

(b) the petitioner is directed to deposit a sum of Rs.2,63,000/- (Rupees Two Lakhs Sixty Three thousand only) by way of Demand Draft to the credit of Crime No.7 of 2019, before the learned Judicial Magistrate-VII, Coimbatore without prejudice to his defence before the trial Court within a period of two weeks from the date of receipt of copy of this order and the learned Judicial Magistrate, after perusing the Demand Draft, shall accept the sureties furnished by the petitioner. Thereafter, the learned Judicial Magistrate is directed to disburse the amount to the defacto complainant on filing an appropriate undertaking affidavit before the trial Court.

(c) 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;

(d) 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;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;



(f) the petitioner shall not abscond either during investigation or trial;

(g) 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;

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

-sd/-

11/03/2022

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 JUDICIAL MAGISTRATE-VII,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
COIMBATORE CITY, COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. C.PRAKASAM Advocate on payment of necessary charges SR.No.3934

CRL OP.4186/2022

Date :11/03/2022

CSK 29/03/2022