



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.3315 of 2022

1 ANJUM [PETITIONERS / ACCUSED]
2 NIYAZ AHAMED
3 SHABANA
4 ILIYAS @ ILIYAS
5 AFZAL ABDUL

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE DISTRICT.
CRIME NO.540 OF 2021.

For Petitioners : MR.C.PRABAKARAN, Advocate for
M/S.M.VINOTH, Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest on the hands of the respondent police for the alleged offences punishable under Sections 294(b), 383, 406, 420, 120B, 494, 495, 496 & 506(2) of IPC in Crime No.540 of 2021, seek anticipatory bail.

2. The petitioners are the named accused in the complaint given by one Shabeer Khan alleging that the petitioners have cheated him by forcing to marry the 3rd petitioner and thereafter extracted nearly a sum of Rs.30,00,000/- from him. The First Information Report though reads like fiction, there might be some truth in it, which needs to be investigated. However, for such investigation the detention of the petitioners are not required and mere cooperation of the petitioners for the enquiry is sufficient.



3. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioners.

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate Court - IV, Vellore on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer on daily at 10.30 a.m., for a period of thirty days and thereafter, as and when required for investigation.

(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 has 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.

-sd/-
02/03/2022

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,
NO.IV, VELLORE,

2 THE CHIEF JUDICIAL MAGISTRATE
VELLOR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.VINOTH Advocate on payment of necessary charges
SR.NO.3332

CRL OP.3315/2022

Date :02/03/2022

JPA 07/03/2022