



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9244 of 2022

MOHAMMED SARJUN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
C-3, SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.
IN CRIME NO.26/2022.

[RESPONDENT]

For Petitioner : MR.S.SHUNMUGA VELAYUTHAM, Senior Counsel for
M/S.A.NOWFAL, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner herein apprehends arrest by the respondent police for an offences under Sections 147, 148, 294(b), 323, 342, 397, 448, 506(ii) of IPC r/w under Section 66 E of Information Technology Act in Crime No.26 of 2022 on the file of the respondent police seeks anticipatory bail.

2. The petitioner herein is the named accused in the First Information Report and also the materials collected shows that he has been extorting money from the defacto complainant with regular intervals. When anticipatory bail petition of the petitioner came up for consideration earlier, the allegation levelled against the petitioner and the materials collected so far indicates that custodial interrogation of the petitioner was deemed necessary. Though the petitioner filed anticipatory bail dated 15.03.2022, the respondent was unable to secure the petitioner.



3. Today, the learned Government Advocate (Crl.Side) states that if the petitioner co-operate with the investigation, the respondent police able to proceed with the investigation and file final report.

WEB COPY

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

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of seven 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.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before respondent police daily at 10.30 a.m., until further orders;

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

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

(f) 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 is 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



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

WEB COPY

-sd/-
28/04/2022

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.VII, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C-3, SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.A.NOWFAL Advocate on payment of necessary charges
SR.NO.6568

CRL OP.9244/2022

Date :28/04/2022

JPA 05/05/2022