



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11879 of 2022

RAHMAN SHARIEF

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
CCD-II,
COIMBATORE DISTRICT CYBER CELL,
COIMBATORE DISTRICT.
CR.NO. 23/2021.

[RESPONDENT]

For Petitioner : M/S.R.VIJAYAKUMAR Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 20.03.2022 for the alleged offence under Sections 420 of I.P.C. and 66D, 72 of Information Technology Act 2000 in Crime No.23 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant had obtained loans and had repaid back the substantial amount. In spite of the same, she received phone calls, wherein abusive language was used and she was also threatened. There are totally four accused persons in this case and the petitioner has been arrayed as A2.

3.Heard Mr.R.Vijayakumar, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor for the respondent.

4.In the considered view of this Court, the petitioner is said to be working as an Assistant Manager of the loan collection agency and the petitioner had already suffered incarceration for nearly 59 days.



5. Considering the facts and circumstances of the case and also considering the fact that this Court had already granted bail to the co-accused in Crl.O.P.No. 11476 of 2022 dated 18.05.2022 and that there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Madukkarai and on further conditions 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 petitioner shall report before the respondent police every Friday at 6.30 p.m for a period of four weeks and thereafter as and when required for 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 have 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/05/2022

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
MADUKKARAI,
COIMBATORE DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CCD-II,
COIMBATORE DISTRICT CYBER CELL,
COIMBATORE DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON,
COIMBATORE

+1 CC to M/S.R.VIJAYAKUMAR Advocate on payment of necessary
charges SR.No. 7626

CRL OP.11879/2022

Date :19/05/2022

SP(20/05/2022)