



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM:

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

Cr1.O.P.No.25726 of 2021

M.Ramesh

... Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Sulur Police Station,
Coimbatore.
Crime No.935 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 arrest in Crime No.935 of 2021 on the file of the respondent police.

For Petitioner : M/s SMS Law Chambers

For Respondent : Mr.N.S.Suganthan,
Government Advocate (Cr1.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 323, 324 506(ii) of IPC in Crime No.935 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that defacto complainant lodged a complaint before the respondent police stated that due to previous enmity regarding football match, when he was going to his friend house, the petitioner along with other person blocked and quarreled with him and attacked with knife and iron rod. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner, on his own volition, is ready and willing to



contribute a sum of Rs.5,000/- to any Charitable Purpose as may be directed by this Court and he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the injured had sustained simple injury only and there is two previous as against him.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.5,000/- for charitable purpose, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions..

6. Accordingly, the petitioner is ordered 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 and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five thousand only) to the Registered Advocate Clerk's Association, Coimbatore District within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

[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 the respondent police on Wednesday at 10.30 a.m for a period of four weeks and thereafter as and when required for an interrogation;

[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 has 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;

-sd/-
03/01/2022

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.

4 THE REGISTERED ADVOCATE,
CLERKS ASSOCIATION, COIMBATORE DISTRICT.

CC to M/S SMS LAW CHAMBERS Advocate on payment of necessary charges

CRL OP.25726/2021

Date :03/01/2022

JPA 10/01/2022