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Crl.O.P.No.13366 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Section 120-B, 420, 406 & 506 (i) of I.P.C, in Crime No.19 of 2023 on the file of the respondent police, seek anticipatory bail.

2.It is the submission of learned counsel for the petitioner that first petitioner is the wife of first accused/Juzar Saifuddin. She is falsely implicated in this case. In a bail petition filed by her husband namely first accused/Juzar Saifuddin and fourth accused/Hazefa Juzara in Crl.O.P.No.14451 of 2023, they were granted bail on 13.07.2023. Second petitioner is daughter-in-law of first petitioner and wife of third accused. Apprehending arrest, this petition is filed seeking anticipatory bail.

3.In response, the learned Government Advocate (Criminal side) submitted that in a business transaction, defacto-complainant was



Crl.O.P.No.13366 of 2023

cheated by the accused. Hence, he opposed this petition.

4.Considered the rival submissions and perused the records.

5.This Court in Crl.O.P.No.14451 of 2023 had extensively considered the case of the prosecution, submission of the accused and also the learned counsel for intervenor/defacto-complainant and granted bail to co-accused. The same reasons apply to this case as well. Not only that first petitioner is the wife of the first accused/Juzar Saifudin and he has granted bail by this Court and the second petitioner is the daughter-in-law of the first petitioner and they are women. In the said circumstances, this Court is of the view that the allegations are to be proved only by documentary evidence and that custodial interrogation of the petitioners is not necessary. Thus, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate-No.VII, Coimbatore**, on



CrI.O.P.No.13366 of 2023

condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- each (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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 have been imposed and the petitioners released on bail by the learned Magistrate/Trial



WEB COPY



Crl.O.P.No.13366 of 2023

Court himself as laid down by the Hon'ble Supreme Court
in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

G.CHANDRASEKHARAN. J.

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

**02.08.2023
(2/2)**

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Crl.O.P.No.13366 of 2023



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CrI.O.P.No.13366 of 2023