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CRL OP. 30534 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CRL OP. 30534 of 2024

NAINA MOHAMMED
S/O AMANULLAH, P.O. BOX 35871 AL-JUBAIL,
JUBAIL INDUSTRIAL CITY - 31961 KINGDOM OF
SAUDI ARABIA PERMANENTLY RESIDING AT
DOOR NO.5/102, KANDASAMPURAM
EXTENSION, UDMALAI ROAD, POLLACHI,
COIMBATORE DISTRICT.

PETITIONER(S)

Vs

THE STATE OF
INSPECTOR OF POLICE, ALL WOMEN POLICE
STATION, POLLACHI,

RESPONDENT(S)

CRL OP. 30534 of 2024

For Petitioner(s):

T ARUL
V. NANDA KUMAR
T. SARAVANAN

For Respondent(s):

PUBLIC PROSECUTOR

ORDER

This petition has been filed to enlarge the petitioner on bail in event of his arrest in crime No. 1 of 2022 pending on the file of the respondent police.



2. When the matter is taken up for hearing, the learned counsel for the petitioner submits that the Memorandum of Understanding (MOU) was executed between petitioner and the defacto complainant on 11.08.2023 to that effect he produced the copy of the MOU. As per MOU, the defacto complainant agreed to withdraw the case registered against the petitioner before AWPS, Pollachi, in Crime No.1 of 2022.

3. This Court perused MOU. As per MOU, the defacto complainant give consent to withdraw the case pending before AWPS, Pollachi, in Crime No. 1 of 2022. Considering the above, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Pollachi**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (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 and on further condition that:



(a)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;

(b)the petitioner shall report before the respondent police 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 petitioners in accordance with law as if the conditions have 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;



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(f)if the accused thereafter absconds, a fresh FIR can be registered

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under Section 229-A IPC.

12-12-2024

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TO

INSPECTOR OF POLICE, ALL WOMEN POLICE
STATION , POLLACHI.