



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.19565 of 2016

1 HAYAT KHAN
2 ABDUL HAKKIM
3 SHAHUL HAMEED

... PETITIONERS/ACCUSED NO.1,2 & 5

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TANJORE,
TANJORE DISTRICT.
CRIME NO. 17 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.VADIVEL Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioners/A1, A2 and A5 pray for grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 406, 465, 468, 471, 420 and 120(b) IPC in Crime No.17 of 2015 on the file of the respondent police.

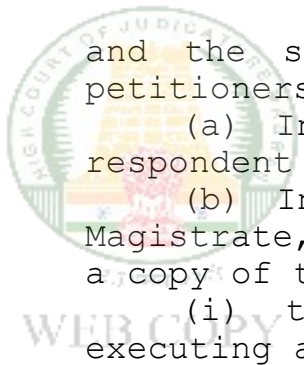
2. On a perusal of documents, it is seen that there is property dispute between the parties.

3. Learned counsel for the petitioners submits that the case was registered in the year 2015 and so far, charge sheet has not been filed. He would further submit that in view of a settlement deed, Civil suit in O.S.No.59 of 1987 was decreed in favour of the first petitioner and other suits in O.S.No.3 of 2015 and O.S.No.6 of 2015 are pending.

4. Heard the learned Government Advocate (Crl.Side) on the above submission.

<https://hcservices.ecourts.gov.in/hcservices/>

5. On consideration of the facts and circumstances of the case



and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial Magistrate, Thiruvaiyaru, within 15 days from the date of receipt of a copy of the order,

(i) the petitioners shall be enlarged on bail on their executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to their satisfaction;

(ii) the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer;

(iii) the petitioners shall appear before the respondent police daily at 10.30 a.m until further orders.

sd/-

26/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, TANJORE, TANJORE DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.VADIVEL Advocate SR.No.64560

CM

CSL/SS-2/SAR-I/03.11.2016:2P/6C

ORDER

IN

CRL OP(MD) No.19565 of 2016

Date : 26/10/2016