



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

Wednesday, the Sixteenth day of March Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4561 of 2016

1 ABUDHAHIR
2 ANWAR
3 HUSSAIN
4 JAINUDEEN
5 RAJA MOHAMMAD
6 SATHAKATHULLA
7 MOHAMMAD ALI (AALIMSHA)
8 NILOBAR
9 AYISHA
10 KASARA
11 NOOR
12 SAHIRA
13 MUMTAJ
14 SHAKEELA

... PETITIONERS/ACCUSED 1 TO 3,5,6,8 TO 16

Vs

STATE REP BY THE INSPECTOR OF POLICE
VALINOKKAM POLICE STATION,
RAMNAD DISTRICT,
CR NO.14 OF 2016. ... RESPONDENT/COMPLAINANT

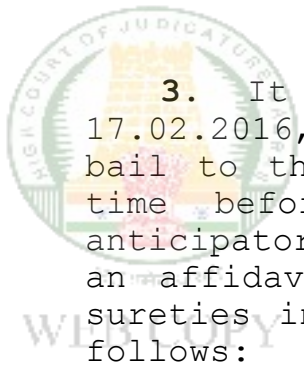
For Petitioner : M/S D.S.HAROON RASHEED Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 323 I.P.C., and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.14 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.D.S.Haroon Rasheed, learned counsel appearing for the petitioners and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.



3. It is seen that earlier this Court, by Order dated 17.02.2016, in CrI.O.P.(MD) No.2772 of 2016, granted anticipatory bail to the petitioners. But, they had not produced sureties in time before the Court below and on account of which, the anticipatory bail granted to them got lapsed. The petitioners filed an affidavit, dated 11.03.2016, giving reasons for not producing sureties in time. The relevant portion of the affidavit reads as follows:

"6. It is most respectfully further submitted that we are unable to produce the sureties in time before the concern Judicial Magistrate due to attending condolence of the our Village. More over, totally 14 accused, we have to produce two sureties each. The petitioner seeks huge number of persons for producing sureties. For the above said reason, we are unable to produce the sureties in time. The non appearance of us are neither willful nor wanton but beyond our control. Hence we seek extension of time to surrender before the concerned Judicial Magistrate by the way of filing this Second Anticipatory Bail Application."

4. In view of the above, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, they 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Muthukulathur, Ramnad District, on condition that each of the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners 1, 3 to 7 shall stay at Manamadurai and report before the Manamadurai Police Station daily at 06.30 p.m., until further orders and the petitioners 2, 8 to 14 shall appear before the respondent Police as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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



5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-

16/03/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUTHUKULATHUR, RAMNAD DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
- 3 THE INSPECTOR OF POLICE
VALINOKKAM POLICE STATION, RAMNAD DISTRICT
- 4 THE OFFICER INCHARGE
MANAMADURAI POLICE STATION, MANAMADURAI
- 5 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S D.S.HAROON RASHEED Advocate SR.No.15185

ORDER

IN

CRL OP(MD) No.4561 of 2016

Date :16/03/2016

KRK

AA/NGM-SS/SAR-I/18.03.2016/3p-7c