



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

Monday, the Fourth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.11508 of 2017

SHAHUL HAMEED

... PETITIONER/ACCUSED NO.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SUTHAMALI POLICE STATION,
TIRUNELVELI DISTRICT.
(IN CRIME.NO.296 OF 2012)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.I.SABEER MOHAMED Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

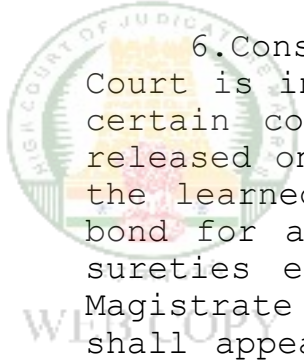
The petitioner, who is arrayed as A1 in Crime No.296 of 2012 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 447, 153(A) and 506(i) of I.P.C. and Section 4 of Disfigurement Act and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The case of the prosecution is that the de-facto complainant, namely V.A.O., conducted an inspection in Suthamalli Village on 18.07.2012. When he enquired the petitioner and others about the encroachment of Government land, he was threatened by them using abusive languages and hence, the present case.

4.The learned counsel for the petitioner submitted that the petitioner is innocent. He has not committed any offence as alleged in the complaint. He has been falsely implicated in this case. He is ready to co-operate with the enquiry.

5.The learned Additional Public Prosecutor appearing for the respondent / Police submitted that based on the complaint given by the de-facto complainant / VAO that the petitioner and others used filthy languages, touching his religious sentiments and therefore, the present case was registered against the petitioner and others.



6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Cheranmahadevi and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand automatically dismissed.

sd/-
04/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE ,
CHERANMAHADEVI, TIRUNELVELI DISTRICT
 - 2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT
 - 3 THE INSPECTOR OF POLICE,
SUTHAMALI POLICE STATION,
TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.I.SABEER MOHAMED Advocate SR.No.29872

ORDER
IN
CRL OP(MD) No.11508 of 2017
Date :04/09/2017

PK/RR-BS/SAR-1/07.09.2017 : 2P/6C