



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

Monday, the Twenty Second day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18651 of 2018

1 SINTHA MATHAR MOHAIDEEN

2 MOHAMED MUSTHASIR

... PETITIONERS / ACCUSED NO. 2 & 3

Vs

THE STATE REP. BY

THE INSPECTOR OF POLICE

PUDUKKOTTAI TOWN POLICE STATION,

PUDUKKOTTAI DISTRICT.

(IN CRIME NO. 12 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.SULTHAN BASHA for M/S.AJMAL ASSOCIATES

For Respondent : MR.V.NEELAKANDAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A2 and A3, who were arrested and remanded to judicial custody on 04.10..2018 for the offences punishable under Sections 120(b), 406, 420, 294(b) and 506(i) of I.P.C. in crime No.12 of 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that there was a partnership between the father of the defacto complainant and the petitioners and others and after the father of the defacto complainant passed away, he joined in the aforesaid partnership and there was no change in ratio of sharing. While being so, when the defacto complainant decided to relieve himself from the firm and a sum of Rs.84,70,000/- was accumulated in his share. After receiving a portion of amount, A1 along with other accused showed a cheque for a sum of Rs.19,70,000/- and promised to settle the same. However, they have not done so. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that this is purely civil in nature and the petitioners are innocent persons and they have nothing to do with the commission of offence and the petitioners filed a suit in O.S.No.34 of 2018 before the learned Principal District Judge, Pudukkottai and the same is pending and the defacto complainant also filed a money suit in O.S.No.67 of 2018 before the same Court and the same is also pending. He would further submit that already A1 released on



anticipatory bail by the learned Principal Sessions Judge, Pudukkottai.

4. The learned Additional Public Prosecutor would submit that the investigation is pending.

5. Considering the fact and circumstances of the case and considering the fact that this is purely civil in nature and A1 has already been released on anticipatory bail by the lower Court, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) 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 learned Judicial Magistrate No.1, Pudukkottai;

(ii) the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

sd/-
22/10/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO I
PUDUKOTTAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI
- 3 THE OFFICER IN CHARGE
SUB JAIL, PUDUKOTTAI
- 4 THE INSPECTOR OF POLICE
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.19935

ORDER
IN

CRL OP(MD) No.18651 of 2018
Date :22/10/2018