



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

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1342 of 2019

SYED IBRAHIM

... PETITIONER / ACCUSED No.6

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.29/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.M.A.JINNAH Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

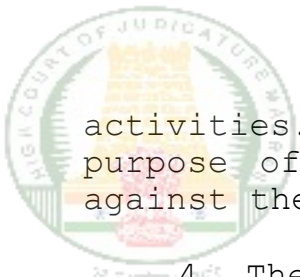
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B and 115 IPC and Section 25 (1)(a) of the Arms Act, in Cr.No.29 of 2019 seeks anticipatory bail.

2. The case of the prosecution that the defacto complainant, who is the Sub-Inspector of Police attached to the respondent have got secret information. On receipt of the same, when he was doing surveillance passing near Vendasandur dharka on 28.01.2019, at about 11.00 p.m., he saw five persons along with two motor bikes. At that time, he heard some utter words. Thereafter, the 5 persons were retained and arrested. Al is said to have given a confession that at the instigation of the petitioner and another, they decided to finish off the leader of Hindu Munnani and other leaders of the same and they had also given them moral and other supports. Thereafter, the accused were arrested and vehicle and knife were recovered. All the accused belonged to Indian National League party.

3. The case of the petitioner is that the petitioner is the State Secretary of a registered political party, namely, Indian National League and the petitioner had never indulged in any such



activities. A false case has been foisted against this group for the purpose of grabbing activities of this political party, which is against their fundamental rights.

4. The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged offence.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl. Side).

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Veda sandur, on condition that the petitioner 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 said Magistrate, on further conditions that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks thereafter, 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/01/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE,
VEDASANDUR

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT

3. THE INSPECTOR OF POLICE,
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to MR.S.M.A.JINNAH Advocate SR.No.1797

ORDER

IN

CRL OP (MD) No.1342 of 2019

Date :29/01/2019

AE/PN/SAR2/31.01.2019/3P/6C