



CRL OP (MD) .No.12259 of 2019

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

Date : 03/09/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) .No.12259 of 2019

Kader Mohaideen

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.
(Crime No.52/2019).

... Respondent/Complainant

For Petitioner : Mr.N.Dilip Kumar,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.52 of 2019 on the file of the respondent

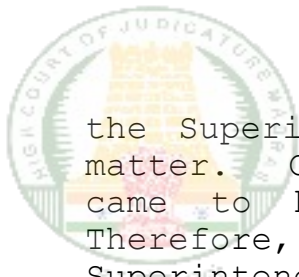
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent Police for the offence punishable under Section 420 IPC in Crime No.52 of 2019. He seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.The petitioner is figuring as A2 in Crime No.52 of 2019 registered on the file of the Kadayanallur Police Station. The case involves cheating of a number of students. The main accused was running Fatima College of Pharmacy and made the students to take B.Pharm course, even though they did not have proper approval. A number of students lost as many as four valuable academic years. They filed W.P(MD).Nos.411 to 416 of 2019 and this Court directed

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



the Superintendent of Police, Tirunelveli, to take action in the matter. Only after the intervention of this Court, even the FIR came to be registered, but nothing further has taken place. Therefore, this Court directs the transfer of investigation. The Superintendent of Police, Tirunelveli, is directed to forward the case diary and other relevant records in Crime No.52 of 2019 to the Additional Director General of Police, CBCID, Chennai. The Additional Director General of Police, CBCID, Chennai, is directed to entrust the investigation to the Inspector of Police, CBCID, Tirunelveli. It is directed that the Superintendent of Police, Tirunelveli, shall forward the case diary within a period of three days from the date of receipt of a copy of this order. The Additional Director General of Police, CBCID, Chennai, is directed to pass appropriate order to entrust the investigation to the Inspector of Police, CBCID, Tirunelveli, within one week, thereafter. It is strictly directed that the final report shall be filed in this case within a period of four months, thereafter.

4.The petitioner's counsel, on instructions, states that the petitioner is willing to extent his fullest co-operation in this case. If need be, even his statement under Section 164 Cr.P.C can be recorded. If need be, the petitioner can even become an approver.

5.Taking note of the offer of the petitioner to co-operate in the investigation, 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, Tenkasi and on his 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 conditions stipulated under Section 438 Cr.P.C., scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/09/2019

/ TRUE COPY /

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



1. THE JUDICIAL MAGISTRATE, TENKASI,
TIRUNELVELI DISTRICT

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO : 1. THE ADDITIONAL DIRECTOR GENERAL OF POLICE,
CBCID, CHENNAI.

2. SUPERINTENDENT OF POLICE, TIRUNELVELI.

+1. CC to M/S.N.DILIP KUMAR Advocate SR.No.14788

ORDER

IN

CRL OP (MD) No.12259 of 2019

Date : 03/09/2019

RMK

PK/MMS/SAR-1/09.09.2019 : 3P/8C