



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2020

PRESENT

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD) . No.12678 of 2020

1. Sikkanthar Batcha
2. Asiya Mariam
3. Periaraja
4. Mohamed Ismail
5. Bashir Ahamed
6. Sheik Dawood
7. Sheik Farid

... Petitioners/Accused rank not known

Vs

State rep.by
The Inspector of Police,
All Women Police Station, Dindigul.
(Crime No Not Known of 2020) ... Respondent/Complainant

For Petitioner : M/s.A.Chandrakumar,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No. of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A) and 506(ii) of I.P.C., and Section 4 of Dowry Prohibition Act, in Crime No. not known of 2020 on the file of the respondent police, seek anticipatory bail.



3.The allegation of blackmail is the cause for registering a criminal case against the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent police made a submission that the participation of A1 is considered as a vital, during the preliminary investigation. In view of the fact that A1 is the main person, this Court is not inclined to grant anticipatory bail in favour of the first petitioner/A1.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner Nos.2 to 7 with certain conditions.

6.Accordingly, the petitioner Nos.2 to 7 are ordered to be released on bail in the event of arrest or on their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul, on condition that the petitioner Nos.2 to 7 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:

(a)the petitioner Nos.2 to 7 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(b)the petitioner Nos.2 to 7 shall report before the respondent police as and when required for interrogation;

(c)the petitioner Nos.2 to 7 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner Nos.2 to 7 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 Nos.2 to 7 in accordance with law as if the conditions have been imposed and the petitioner Nos.2 to 7 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); and;

(f)if the petitioner Nos.2 to 7/accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
10/11/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.
- 2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, DINDIGUL.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12678 of 2020
Date :10/11/2020

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AE/AKM/SAR-III (19.11.2020) 3P 5C