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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.12.2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.18357 of 2021

Mohamed Siddiq

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.495/2021)

... Respondent/Complainant

For Petitioners : M/s.Aayiram K.Selvakumar, Advocate.

For Respondent : M/s.R.Meenakshi Sundaram
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.495 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 149, 294(b), 323, 324, 365, 302 and 506(ii) IPC in Crime No.495 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel for the petitioner would submit that when the petition for anticipatory bail is pending before this Court, the petitioner was arrested on 26.11.2021. He would further submit that the learned Additional Public Prosecutor has already informed this Court that the case was transferred to CBCID and thereafter, the petitioner was arrested by the respondent police.



3. When the matter was taken on the previous hearing, after hearing the submissions of the learned counsel for the petitioner, this Court directed the respondent police to file a report in this regard.

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4. Today, the respondent police filed a report stating that the Superintendent of Police, Tenkasi District has issued a proceedings, dated 22.11.2021 directing him to hand over the case diary to the Inspector of Police, SID CBCID, Tirunelveli and the same was received by him on 25.11.2021 through the Deputy Superintendent of Police, Tenkasi and that he was given one week time to hand over the case diary and other papers. He further stated that he has taken steps to hand over the case diary. A special team of police personnel arrested the accused on 26.11.2021 at Madurai and he was remanded to judicial custody on 27.11.2021. He further stated that the case diary contained 973 pages and he has taken necessary steps to hand over the papers on 29.11.2021 only through General Memo 247/F1PS/29.11.2021.

5. Now the learned Additional Public Prosecutor would submit that the First Information Report Came to be registered in Crime No.3 of 2021 by the Inspector of Police, CBCID, Tirunelveli, for the offence under Sections 120-B, 147, 148, 149, 294(b), 352, 365, 302 and 506(ii) IPC against the petitioner herein.

6. Recording the submissions made by the learned Additional Public Prosecutor, the Criminal Original Petition is dismissed as infructuous.

Sd/-
03/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

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.



1. THE INSPECTOR OF POLICE,
TENKASI POLICE STATION,
TENKASI DISTRICT.

2. THE INSPECTOR OF POLICE,
SID CBCID, TIRUNELVELI.

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

ORDER
IN
CRL OP (MD) No.18357 of 2021
Date : 03/12/2021

SP/CN/SAR III/09/12/2021/3P/4C