



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16/12/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.20098 of 2021

Niyaz Ahamed

... Petitioner/Accused No.2

Vs

The state represented by
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.
Cr.No. 799 of 2021..

... Respondent/Complainant

For Petitioner : Mr.G.Mathavan,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.799 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections
294(b), 386, 506(ii) IPC r/w Section 7 and 25(1-A) of Arms Act 1959,
in Crime No.799 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the *defacto* complainant
was running a grocery shop and the deceased bought rat-paste from
his shop stating that rat caused irk in her house, believing the
same he gave the rat-paste, which was kept for his own use.
Thereafter, he came to know that the deceased took the rat-paste and
committed suicide. Because of that the accused persons had extorted
a sum of Rs.50,000/- from the *defacto* complainant, putting him under
life threat, by way of showing sword. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit
that the petitioner and the *defacto* complainant are the adjacent
shop owners, when the rat paste was sold by the *defacto* complainant
to one Sivaranjani and it was consumed by her, the same was
questioned by her relatives and trouble arose between them. He
would further submit that now the matter was compromised between the
them and that the co-accused was already enlarged on bail.



4.The learned Government Advocate (Crl.Side) would submit that the accused persons and the defacto complainant jointly filed a compromise memo seeking quashment of FIR and that the co-accused was already enlarged on bail.

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5.Considering the facts and circumstances of this case, compromise made between the parties, this Court had already granted anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.I, Pudukkottai 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 the petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

16/12/2021

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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.I,
PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.

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



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

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SS/CN/SAR-II/21.12.2021 : 3P/5C

ORDER

IN

CRL OP(MD) No.20098 of 2021

Date :16/12/2021