



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

Date : 18/02/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.2897 of 2022

WEB COPY

Andul Rashid

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Q Branch CID,
Ramanathapuram District.
in Crime No.2/2021.

... Respondent/Complainant

For Petitioner : M/s.S.Srikanth
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.2 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

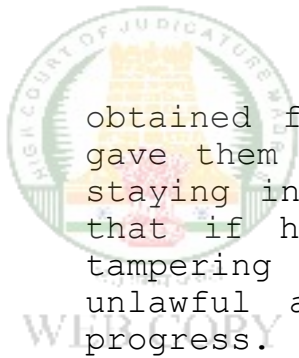
The petitioner/A3, who was arrested and remanded to judicial custody on 28.12.2021 for the offences punishable under Sections 465, 468, 471, 420 and 109 of IPC r/w Section 39 of the Unlawful Activities Prevention Act, 1967, in Crime No.2 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused 1 and 2 with the help of the petitioner had secured Aadhar Card and ration card by assigning a fake address that belongs to one Sidhi Sulekha of Enmanam Kondan Village and pretended to be Indian citizen, purchased SIM cards and these persons were creating Whats App group and were planning to Induct Indian youth to support ISIS. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 28.12.2021.

4.The learned Additional Public Prosecutor has filed his objection stating that based on the guidance of the petitioner, A1

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



obtained fake indian documents and thereby, bought SIM Cards and gave them to A4, a member of the banned ISIS organization, who is staying in Pakistan, that the petitioner is a Malaysian national, that if he is released on bail, there is every possibility of tampering of witnesses and he is likely to continue to commit such unlawful activities and that the investigation is under active progress.

5.Considering the seriousness and gravity of the offence alleged and also the facts that the petitioner is in judicial custody from 28.12.2021 and that the investigation is pending as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner at that point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

18/02/2022

/ TRUE COPY /

/ /2022

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 INSPECTOR OF POLICE
Q BRANCH CID,
RAMANATHAPURAM DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.2897 of 2022

Date :18/02/2022

RS/JM/SAR.4 (28.02.2022) 2P-4C