



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2022

PRESENT

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CRL.O.P(MD)No.13252 of 2022

1.Sameer
2.Syed Musthafa
3.Noor Nisha

...Petitioners / Accused Rank Not Known

-vs-

1.The State represented by
The Inspector of Police,
All Women Police Station,
Cantonment, Trichy District.
(in Cr.No.Not Known of 2022)

... Respondent / Complainant

2.Jos Asheeba

... 2nd Respondent

(R2 is *suo motu* impleaded as per order
of this Hon'ble court dated 22/07/2022
in Crl.OP(MD)13252/2022)

For Petitioners : Mr.K.Sivabalan, Advocate.
For R1 : Mr.A.Albert James
Government Advocate (Crl.side)

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest by the respondent Police with respect to Cr.No.Not Known of 2022.

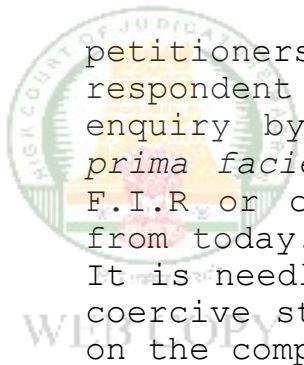
O R D E R

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 406, 498(A) and 506(i) IPC in Crime No.not known 2022 on the file of the respondent Police, seek anticipatory bail.

2.Today, when the matter is taken up for hearing, the learned Government Advocate(Crl.Side) appearing for the respondent Police submitted that the petition enquiry is pending against the petitioner in C.S.R.No.164 of 2022.

3. Considering the facts and circumstances, the respondent police has to issue notice under Section 41(A) of Cr.P.C to the

<https://www.mhc.tn.gov.in/judis>



petitioners and the petitioners are directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any *prima facie* case is made out against the petitioners, register the F.I.R or close the petition enquiry within a period of two weeks from today. The parties are directed to cooperate with the enquiry. It is needless to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the de-facto complainant.

4. With the above directions, this petition is disposed of.

sd/-
12/12/2022

/ TRUE COPY /

/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, CANTONMENT, TRICHY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13252 of 2022
Date :12/12/2022

cmr
MK/VR/SAR 2/22.12.2022/2P/3C