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

Date : 09/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.16311 of 2022

1. K. Shahul Hameed
 2. K.Istak Ali @ Isahak Ali
 3. K.Abdul Kather
 4. V.Mohamed Rafshan Sulthar @ Rabsan
 5. Mohamed Thanveer Nishath @ Thanveer
 6. Vava Maideen
 7. M.Ramesh Raja @ Ramis Raja Usain
 8. Syed Abduthahir.Y @ Aputhakir
 9. A.Ramesh Raja Hussain @ Ramis Raja Usain
 10. Y.Nasreen Banu @ Nasrin
- ... Petitioners/Accused
1 to 10

Vs

State rep.by
The Sub Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
(Crime No.154 of 2022).

... Respondent/Complainant

For Petitioners : Mr.Selvan T, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

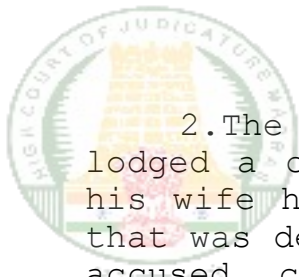
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 154 of 2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 143, 147, 294 (b), 323, 355 and 506(i) of I.P.C, in Crime No.154 of 2022 on the file of the respondent police.



2.The case of the prosecution is that the defacto complainant lodged a complaint stating that he is the husband. The brother of his wife has received several lakhs of rupee and also jewels. When that was demanded back, the above said brother-in-law along with co-accused came there and criminally intimidated him. On that particular date, he went to the brother-in-law's house and demanded the above said money and jewels. That matter was compromised in the presence of the Inspector of Police. With regard to the money transaction, they agreed to resolve the same through Jamath.

3.Later, on 04.06.2022, they were taken to the above said Jamath. At that time, the accused persons joined together, abused him in filthy language, insulted and also assaulted. Over the above said occurrence, present FIR has been registered. Seeking anticipatory bail, this petition came to be filed.

4.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

5.The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a money transaction between the first accused and the defacto complainant.

6.It is seen that bald allegation has been made against the petitioners that the petitioners joined together with co-accused made assault and insult. It is a dispute between the first accused and the defacto complainant.

7.Considering the facts and circumstances of the case and also considering the fact that limited role that has been played by the petitioners herein, this Court is inclined to grant anticipatory bail to the petitioners.

8.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Judicial Magistrate Court, Ilayangudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police once in a week at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-

09/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.II)
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,
ILAYANGUDI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.16311 of 2022
Date :09/09/2022

SP/SVR/SAR II/15/09/2022/3P/5C