



WEB COPY



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

Date : 26/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19998 of 2021

S.Shahul Hameed

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
(Crime No.511 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Abdul Kabur.A, Advocate.

For Respondent : M/s.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervenor : M/s.R.J.Karthick, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.511 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 341 and 506(ii) IPC, in Crime No.511 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the husband of the defacto complainant running a cable business in Door No.4, Melappalayam, Thirunelveli. The petitioner herein was working as an employee under the defacto complainant's husband. After the death of her husband, she was not in a position to continue further. In



the mean time, the petitioner is alleged to have fabricated the records and running the cable TV business in the said premises. On the basis of the wrong information, he has obtained license. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that because of the new development, he is not in a position to run the business.

4. The counsel for the defacto complainant would submit that the petitioner is a previous employee of the husband of the defacto complainant. After the death of the defacto complaint's husband, he has created the forged document by giving her address and making trouble to her.

5. The learned Government Advocate (Crl. Side) for the respondent police submitted that the investigation of the case is pending.

6. Considering the nature of offence, the overt act attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.V, Thirunelveli on condition that the petitioner shall execute 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 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-
26/07/2022

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/08/2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
MELAPALAYAM POLICE STATION,
TIRUNELVELI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.19998 of 2021
Date :26/07/2022

SP/SVR/SAR IV/03/08/2022/3P/5C