



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/12/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.22980 of 2022

Mohamed Ismail

... Petitioner/ Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Palakkarai Police Station,
Tricity.

(Crime No.1149 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Suresh Kannan.C,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.1149 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 21.11.2022, for the offences punishable under Sections 420, 467, 468 and 471 IPC 1985 in Crime No.1149 of 2022, seeks bail.

2. The case of the prosecution is that on 25.10.2022, one Abdul Jaleel, lodged a complaint before the respondent police stating that he is the President of Muslim Sunnath Valijama Hath Thuruppu Pallivasal. The petitioner herein was granted anticipatory bail in connection with some other case and in that case he has filed a relaxation petition in CrI.M.P.No.2647 of 2022 before the Principal District and Sessions Judge, Tricity. In which the petitioner produced a document stating that the defacto complainant herein has assured to give a loan of Rs.7,50,000/- without interest from the jamath amount for the pursue of complying the condition as imposed by the Principal District and Sessions Judge, Tricity. The



with regard to the genuineness of the documents submitted by the petitioner. When the respondent police enquired the same to the defacto complainant, he came to know that the said document was fabricated and further the signature of the defacto complainant was forged. Hence, the complaint.

WEB COPY

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence, as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 21.11.2022 and hence, prays for bail.

4. The learned Additional Public Prosecutor would submit that the petitioner has produced the forged documents before the trial Court for complying the condition imposed in Crl.M.P(MD). No.2647 of 2022 and he is having two previous cases in similar nature and the investigation of the case is pending and hence, prays to dismiss the petition.

5. Heard both sides and perused the materials on record. Taking into consideration of the facts and circumstances of the case and that there are two previous cases against the petitioner in similar nature, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

23/12/2022

/ TRUE COPY /

/01/2023

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

trp

TO

1. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

2 THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION, TRICY.

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

ORDER

IN

CRL OP(MD) No.22980 of 2022

Date : 23/12/2022