



CRL OP(MD). No.9280 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.9280 of 2023

S.Nazeem Fathima,

... Petitioner/ Accused No.3

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Dindigul District.
(Crime No.26/2022).

... Respondent/ Complainant

For Petitioner : M/s.Shanmugaraja Sethupathi.D,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

For Intervenor : Mr.H.Laxmi Shankar, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.26/2022 on the file of the respondent police.

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



CRL OP(MD). No.9280 of 2023

ORDER : The Court made the following order :-

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 420 and 506(1), in Crime No.26 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused asked a sum of Rs.87 Lakhs from the defacto complainant and in turn, they have promised to transfer the said property in the name of the defacto complainant within one month. After lapse several months, the accused persons did not transfer the patta in favour of the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the compromise is reached between the parties and he has also filed a compromise deed before this Court.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that the first accused died. The compromise is reached between the petitioner



CRL OP(MD). No.9280 of 2023

and the defacto complainant alone.

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5. The learned counsel for the intervenor submitted that there was no compromise between the defacto complainant and the second accused.

6. The second accused has not approached this Court and the defacto complainant can proceed with the case against the second accused.

7. Considering the facts and the circumstances of this case and also the fact that the compromise is reached between the petitioner and the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, before the learned Judicial Magistrate No.II, Dindigul, and on her executing 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 on every Saturday at 10.30 am until further orders. The petitioner shall comply with the



CRL OP(MD). No.9280 of 2023

conditions stipulated under Section 438 Cr.P.C. Scrupulously.

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

sd/-
26/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tta

TO

1.THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT.

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



CRL OP(MD). No.9280 of 2023

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+1. CC to M/S.SHANMUGARAJA SETHUPATHI.D Advocate SR.No.11378

ORDER
IN
CRL OP(MD) No.9280 of 2023
Date :26/07/2023

RK/VR (08/08/2023) 5P /6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023



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CRL OP(MD). No.9280 of 2023