



CRL OP(MD). No.13267 of 2023

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

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13267 of 2023

Beer Mohammed

... Petitioner / Sole Accused

Vs

State rep by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.275 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.T.Antony Arun Raj, Advocate.
For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.275 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 294(b), 506(i) and 379 of IPC in Crime No.275 of 2023, on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.13267 of 2023

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2. The case of the prosecution is that the petitioner alleged to have cut and removed six coconut trees and when the same was opposed by the defacto complainant, the petitioner abused him in filthy language and criminally intimidated him. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, she has been falsely implicated in this case and she has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) was required to produce and verify the antecedents of the petitioner. The learned counsel for the petitioner himself has produced typed set of papers including all the FIRs registered against the petitioner. It shows that some of the FIRs have been registered during the Covid-19 Pandemic period and some of them are based on the complaint given by one Rahman, stated to be the Chairman of the Wakf Board. The present FIR has been registered on the basis of the complaint given by the brother of the petitioner in respect of the very same property issue.

5. The matter was referred to mediation. Eventhough the petitioner has appeared, the defacto complainant did not appear and hence the matter is referred back to the Court.

6. Considering the facts and circumstances of this case and also the fact that



CRL OP(MD). No.13267 of 2023

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continuous issues have been arisen, between the jamathars and the petitioner one side and the brother of the petitioner on the other side, complaints have been given against the petitioner, this Court is inclined to grant relief to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate, Nilakottai, on condition that the petitioner 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 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 of 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
04/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.13267 of 2023

To

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1.The Judicial Magistrate,
Nilakottai.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.ANTONY ARULRAJ, Advocate (SR-13247[I] dated 05/09/2023)

ORDER

IN

CRL OP(MD) No.13267 of 2023

Date :04/09/2023

ED/VR/SAR- (12/09/2023) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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