



CRL OP(MD). No.14421 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14421 of 2023

M.Abdul Majid

... Petitioner/ Accused No.4

Vs

State Rep.by
The Inspector of Police,
Airport Police Station,
Trichy City.
In Crime No.406 of 2023.

... Respondent/Complainant

For Petitioner : M/s.P.Gunasekaran., Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.406 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 406, 417, 420, 294(b) and

506 (ii) of I.P.C., in Crime No.406 of 2023 on the file of the respondent police, seeks

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anticipatory bail.

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2. The case of the prosecution as per the de-facto complainant's version is that one Mumtaj was conducting chit fund. The defacto complainant also joined in the above said unregistered chit fund. The above said transaction is continued for several months. In the year 2019, she joined in five chits. Totally, she paid Rs.3,44,675/- as substantial amount. The above chit fund amount was looked after, by her daughter namely Nilofer Babar Ali. Nilofer Babar Ali used to receive money. Similarly, her husband namely Babar Ali also used to receive money. The entire chit fund was under direct control of her son namely Abdul Majid. Several persons joined in the above said chit company and they have been cheated. On the basis of the above said totally 36 victims filed a complaint. One among the complaint is that the defacto complainant's complaint. Later, all those persons vacated the house and absconding. On 01.05.2023, at about 4.00 p.m., Babar Ali broke open the door of the house and tried to vacate the articles. The subscribers prevented him from taking the articles. At that time they were insulted, abused and criminally intimidated. Totally Rs.36,02,365/- has been cheated by the accused.

3. Seeking anticipatory bail, this petition has been filed stating that he is now living in Bangalore and working in a Private company. He left the parental home after their marriage. Never returned to the parental home and took part in any of the



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transactions. Only his mother was conducting the above said chit. According to him, without any material, he has been implicated.

4.Per contra, the learned Additional Public Prosecutor would submit that this petitioner also actively involved in the above said conduction of chit fund transaction, even though it is in the name of his mother Mumtaj.

5.Perusal of CD file indicates that the petitioner actively involved in the above said transaction. Absolutely, no material has been placed before this Court to show that the petitioner was away from the occurrence place and staying in Bangalore and working in a private company. Not even a single pie has been recovered so far. Similar anticipatory bail application that was moved by this petitioner's sister namely Nilofar Babar Ali was also dismissed by this Court in Crl.O.P.(MD).No.12506 of 2023 dated 18.07.2023. I find absolutely no reason to entertain this petition. This petition deserves to be dismissed.

6.Accordingly, this criminal original petition stands dismissed.

sd/-
10/08/2023

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/08/2023

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

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TO

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1 THE INSPECTOR OF POLICE
AIRPORT POLICE STATION, TRICHY CITY.

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

ORDER

IN

CRL OP(MD) No.14421 of 2023

Date :10/08/2023

RS/BUC/SAR-(17.08.2023) 4P 3C

Madurai Bench of Madras High Court is issuing
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