



CRL OP(MD). No.14472 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14472 of 2023

1.C.Bazeer Khan

2.Usman Ali

... Petitioners / Accused Nos.1 and 2

Vs

The State represented by
The Sub Inspector of Police,
S.S.Colony Police Station,
Madurai.

Crime No.2294 of 2022.

... Respondent / Complainant

For Petitioners : M/s.S.Aysha Begum, Advocate

For Respondent : Mr.S.Manikandan
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.2294 of 2022 on the file of the Respondent Police.



CRL OP(MD). No.14472 of 2023

WEB COPY

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 323 and 506(i) of IPC in Crime No.2294 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant version is that on 23.11.2022, the defacto complainant asked for the by-laws related to the election for the post of President of Mahabuppalayam Sunnath Wal Jamad Mosque and paid Rs.100/-. At that time, questioning his eligibility, the petitioners alleged to have pushed the defacto complainant outside, attacked him and threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.



CRL OP(MD). No.14472 of 2023

WEB COPY

4. The learned Government Advocate (Crl.side) would submit that no previous case is pending against the petitioners. There was a wordy quarrel arose between the defacto complainant and the petitioners.

5. Considering the facts and circumstances of this case and also the fact that a trouble has arisen out of a wordy quarrel, this Court is inclined to grant relief to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.5, Madurai, on condition that the petitioners 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 on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



CRL OP(MD). No.14472 of 2023

WEB COPY

7. The petitioners 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/-
08/08/2023

/ TRUE COPY /

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

pnn

To

- 1.THE JUDICIAL MAGISTRATE NO.5,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3.THE SUB INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



CRL OP(MD). No.14472 of 2023

WEB COPY +1 CC to M/s.S.AYSHA BEGUM, Advocate (SR-11965[I] dated 08/08/2023)

ORDER
IN
CRL OP(MD) No.14472 of 2023
Date :08/08/2023

RK/VRS (22/08/2023) 5P /6 C

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