



CRL OP(MD). No.14603 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Sahul Hameed,
2. Jamal Maideen,
3. Sikkanthar Batcha,

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Srirangam Police Station, Trichy City.
(Crime No.1352/2023).

... Respondent/Complainant

For Petitioner : T.LENINKUMAR,
Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.1352/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323, 379 & 506(i) of IPC, in Crime No.1352 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 29.01.2023, one Abdul Hakkim, S/o



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Jamiyalam, lodged a complaint before the respondent police stating that he is doing a business of selling pre-owned two-wheelers and timbers. On 29.01.2023 at about 09.30 p.m., when he was walking along the road, the petitioners waylaid him and questioned as to why he lodged complaint against the president of Jamath. In continuation of the same, the petitioners abused him by using filthy language, assaulted him with hands and threatened him with dire consequences. It is further alleged that during the quarrel the petitioners snatched away cash of Rs.22,500/- two wheeler key and the title deeds.

3.The issue is between the erstwhile office bearers of the jamath and the present office bearers of the jamath over the administration of the jamath. There is continuous trouble between the parties.

4.The respondent is present before this Court today and stated that even though the complaint has been given by the defacto complainant before the learned Judicial Magistrate, Srirangam, based upon which, the present FIR has been registered, the complainant has not appeared before the respondent for completing the investigation process. Even though in the complaint it has been stated that Rs.22,500/- has been taken by the petitioner along with some documents, since the defacto complainant is not co-operating for the investigation, the petitioners are entitled for anticipatory bail petition.



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5. In view of the above, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned District Munsif cum Judicial Magistrate, Srirangam, on condition that the petitioners 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 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.

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/-
17/08/2023

/ TRUE COPY /

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

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TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRANGAM.

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



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
SRIRANGAM POLICE STATION, TRICHY CITY.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-12438[I] dated 18/08/2023)

ORDER IN
CRL OP(MD) No.14603 of 2023
Date :17/08/2023

SA/JGB/SAR. /07.09.2023/4P/6C

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