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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.21374 and 18837 of 2023

Nilofar Babar

... Petitioner/ Accused No.2 in
Crl.O.P.(MD).No.21374 of 2023

M.Abdul Majid

... Petitioner/ Accused No.4 in
Crl.O.P.(MD).No.18837 of 2023

Vs

The Inspector of Police,
CCB Police Station,
Trichy City,
Crime No.16/2023

... Respondent/Complainant in
Crl.O.P.(MD).No.21374 of 2023

1.The Inspector of Police,
Airport Police Station,
Trichy City,
(Crime No.406 of 2023)

... Respondent/Complainant in
Crl.O.P.(MD).No.18837 of 2023

2.Vijayalakshmi

... 2nd Respondent/Defacto Complainant
in Crl.O.P.(MD).No.18837 of 2023

(2nd respondent in this case has been impleaded as per the
order of this Court dated 19.10.2023 passed in Crl.O.P.
(MD).No.18837 of 2023)



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For Petitioners : Mr.M.Karunanithi
Advocate.

For Respondents : Mr.R.M.Anbunithi for R1
Additional Public Prosecutor
(in both cases)

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

PRAYER :-

For Anticipatory Bail in Crime Nos.16/2023 and 406/2023 on the file of the Respondent Police respectively.

COMMON ORDER : The Court made the following order :-

The petitioner/ Accused No.2, in CrI.O.P.(MD).No.21374 of 2023, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 417, 420, 294(b), 506(ii) of IPC, in Crime No.16 of 2023 on the file of the respondent police, seek anticipatory bail.

The petitioner/ Accused No.4, in CrI.O.P.(MD).No.18837 of 2023, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 417, 420, 294(b), 506(ii) of IPC, in Crime No.406 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused running chit fund and collected a sum of Rs.36,01,275/- from several persons and they failed to return the same. Hence the complaint.



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3. Considering the gravity of offence and the amount involved in this matter, the earlier applications filed by the petitioners were dismissed by this Court.

4. Today, 1) C. Vijayalakshmi, W/o P. Chinnaiah, 2) Thangamari, W/o Devashagayam, 3) Shoba, W/o Ramesh and 4) Sharmila Begum, W/o Mohammed Salim, who belong to the Victims Village, on behalf of the other victims, appeared before this Court and submitted that about Rs.36,00,000/- been cheated by the petitioners. They would further submit that at the Village level compromise talk is going on. So the matter is likely to be compromised and they have no objection to grant anticipatory bail to the petitioners.

5. The learned counsel for the petitioners would submit that the petitioners proposed to sell the house property, which belongs to the petitioners and after selling the property, the amount will be settled to the victims. It is submitted by the petitioners that now proposal to sell the property is under way. It is also submitted that the property will be sold within a month.

6. On the above said ground this Court is inclined to grant anticipatory bail to the petitioners in both the cases with conditions.

7. Accordingly, both the Criminal Original Petitions are allowed and the petitioners in both crime numbers 16 of 2023 and 406 of 2023 are ordered to be released on bail in the event of arrest or on their appearance, before the learned



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Judicial Magistrate No.VI, Tiruchirappalli, 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, **with further condition that the petitioners shall file an undertaking affidavit before the concerned Judicial Magistrate to the effect that they will settle the issue within a month as stated above.** The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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 will stand dismissed.

sd/-
28/11/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE NO.VI,
TIRUCHIRAPPALLI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.

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

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

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

+2 CC to M/s.M.KARUNANITHI, Advocate (SR-17018, 17019[I] dated
29/11/2023)

ORDER
IN

CRL OP(MD). Nos.21374 and 18837 of 2023

Date :28/11/2023

SS/JGB/SAR- /04/12/2023/5P/8C

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