



CRL OP(MD)No.7498 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7498 of 2024

P.Satham Hussain

... Petitioner /Sole Accused

Vs

State Rep. by
The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.85 of 2024

... Respondent/Complainant

For Petitioner : Mr.A.MOHAMED ASHFALK, Advocate

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.side)

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

PRAYER :- For Anticipatory Bail in Crime No.85 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 387, 427 & 506(ii) of IPC in Crime No.85 of 2024 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD)No.7498 of 2024

WEB COPY

2.The case of the prosecution is that the defacto complainant owns a fruit stall for past 10 years and on 11.02.2024 at about 8.30 pm., when the defacto complainant was there in his shop along with his friends and his employee, the petitioner went to his shop and purchased fruits and denied to pay the money. When the defacto complainant demanded the petitioner to pay the money, the petitioner abused the defacto complainant in filthy language and attacked the defacto complainant with wooden log on his shoulders and threatened him by showing the knife and extorted a sum of Rs.10,000/- and a mobile phone from the complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner has two previous cases which are similar in nature. He further submitted that the injured is still taking treatment as inpatient.

5.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of



CRL OP(MD)No.7498 of 2024

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arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur on condition that the petitioner 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 conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[C] the petitioner shall make a non refundable deposit of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of the Headmaster, Government Model Girls Higher Secondary School, Y.Othakadai, Madurai in State Bank of India, Othakadai, Madurai Account No.10968750674 IFSC No.SBI0002246, without prejudice to his contentions and rights before the trial Court. This fund will be utilized for purchasing benches & desks for 12 newly constructed classrooms under "Nammaku Naame Scheme". On such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

[d] the petitioner shall not tamper with the evidence or witness either during



CRL OP(MD)No.7498 of 2024

investigation or trial.

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[e]the petitioner shall not abscond either during investigation or trial.

[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/05/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMI
TO
1 THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.



CRL OP(MD)No.7498 of 2024

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

COPY TO:
THE HEADMASTER,
GOVERNMENT MODEL GIRLS
HIGHER SECONDARY SCHOOL,
Y.OTHAKADAI,
MADURAI

+1 CC to M/s.A.MOHAMED ASHFALK, Advocate (SR-5659[I] dated 23/05/2024)

ORDER
IN
CRL OP(MD) No.7498 of 2024
Date :22/05/2024

SA/VR/SAR. /23.05.2024/5P/7C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.