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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). Nos.9570 & 9573 of 2024

CRL OP(MD). No.9570 of 2024
1. Jayda Shah,

2. Anwar Shah, ... Petitioners/Accused No.4 & 5

Vs

The Inspector of Police,
Thideer Nagar Crime Police Station,
Madurai District,
Crime No.157/2024. ... Respondent/Complainant

For Petitioners : Mr.K.Althaf Sheriff
for M/s.Ajmal Associates,
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PRAYER :- To enlarge the petitioners on bail in PRC No.212/2024 on the file of learned Judicial Magistrate Court No.V, Madurai in Connection with Crime No.157/2024 on the file of the respondent.

CRL OP(MD). No.9573 of 2024

1. Novshad,

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2. Heena Khan,

3. Samim Shah,

4. Rajak Shah,

5. Ruksana Shah, ... Petitioners/Accused No.1,2,6 to 8

Vs.

The Inspector of Police,
Thideer Nagar Crime Police Station
Madurai District.
Cr No.157/2024.. ... Respondent/Complainant

For Petitioners : Mr.K.Althif Sheriff
for M/s.Ajmal Associates,
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PRAYER :- To enlarge the Petitioners on bail in PRC No.212/2024 on the file of the Learned Judicial Magistrate Court No.V Madurai in connection with Cr No.157/2024 on the file of the Respondent Police.

COMMON ORDER

The respondent police registered a case as against the petitioners in Crime No.157 of 2024 for the offence under Sections 399 I.P.C r/w. Section 34 I.P.C., and remanded them into judicial custody on 21.04.2024. Therefore, the petitioners have filed this petition to enlarge the petitioners on bail in PRC No.212/2024 on the file of learned Judicial Magistrate Court No.V, Madurai in Connection with Crime No.157/2024 on the file of the respondent.

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2. The case of the prosecution is that the defacto complainant is working as Manager in ASP Lodge. On 21.04.2024, the petitioners and other accused have stayed the lodge with deadly weapons and conspired to commit robbery or dacoity at the time of Chithirai festival. Hence the case.

3. The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. However, they are working as Coolies and they have been arrested and they are languishing in jail from 21.04.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the investigation is pending and he raised strong objection. He further submits that the petitioners are in the native of Madhya Pradesh. If the petitioners are released on bail, they were escaped. The petitioners are arrayed as A1, A2, A4 to A8.

5. The learned counsel for the petitioners submits that to show their *bonafide*, they undertake to produce the following original document of the petitioners:

A1-Novshad – Original R.C.Book (Car) of A1

A2-Heena Khan – Original Passport of A2

A4-Jaya Shah – Original R.C.Book (Car) of A4

A5-Anwar Shah – Original R.C.Book (Car) of A5

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A6-Samim Shah - Original Passport of her Son

A7-Rajak Shah - Original Property document of A7

A8-Ruksana Shah-Original Property document of A8

6. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions .

7.Accordingly, these Criminal Original Petitions are ordered and the petitioners are ordered to be released on bail:

i) on the petitioners executing a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai.

ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioners appear before the Judicial Magistrate No.V, Madurai, daily at 10.30 a.m. until further orders. They have to co-operate for the trial.

iv) The petitioners shall produce the following original documents:

A1-Novshad – Original R.C.Book (Car) of A1

A2-Heena Khan – Original Passport of A2

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A4-Jaya Shah – Original R.C.Book (Car) of A4

A5-Anwar Shah – Original R.C.Book (Car) of A5

A6-Samim Shah - Original Passport of her Son

A7-Rajak Shah - Original Property document of A7

A8-Ruksana Shah-Original Property document of A8

(v) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

vi) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the bail.

sd/-
03/07/2024

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03/07/2024
Sub-Assistant Registrar ( )
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.

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

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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE
THIDEER NAGAR CRIME POLICE STATION,
MADURAI DISTRICT

4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

+2 CC to M/s.M/S.AJMAL ASSOCIATES, Advocate (SR-7292, 7291[I] dated 03/07/2024)

ORDER
IN
CRL OP(MD). Nos.9570 & 9573 of 2024
Date :03/07/2024

SS/SAR- /03/07/2024/6P/8C

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