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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Nineteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

Crl.M.P(MD) Nos.7532 & 8243 of 2024
in Crl.O.P(MD) Nos.5338 & 6491 of 2024

1 N.MOHAMMED IQBAL

2 NAGOOR @ SHAHUL HAMEED

3 RASITH @ KAMAL HUSSAIN

4 MASTHAN

5 SHEIK BARITH

6 IJAZ

7 NASEER

8 ANWAR

9 M.I.ABDUL GAFOOR @ SATHIK

10 AFSAL

11 ASHIK

12 N.SYED RAFEEL

13 SHAHUL HAMEED



14 RASOOL THAYYUB

15 SAHUL HAMEED

16 MOHAMMED HANIFA

17 ASHARAF

18 UMAMA

... PETITIONERS/PETITIONERS
in CRL MP(MD)No.7532 of 2024

1 N.MOHAMMED IQBAL

2 NAGOOR @ SHAHUL HAMEED

3 RASITH @ KAMAL HUSSAIN

4 MASTHAN

5 SHEIK BARITH

6 ANWAR

... PETITIONERS/ ACCUSED No.7 TO 12
in CRL MP(MD)No.8243 of 2024

Vs

THE INSPECTOR OF POLICE
KANNIYAKUMARI POLICE STATION,
KANNIYAKUMARI,
KANNIYAKUMARI DISTRICT.
(CRIME NO.157/2024).

(CRIME NO.158/2024).

... RESPONDENT/RESPONDENT
in CRL MP(MD)No.7532 of 2024
... RESPONDENT/RESPONDENT
in CRL MP(MD)No.8243 of 2024

Criminal Miscellaneous Petition filed praying that in the circumstances stated



therein and in the petition filed therewith the High Court may be pleased to modify the condition no.6 imposed by this Honble court in Crl O.P (MD) No. 5338 of 2024 dt. 24.06.2024.

Prayer in CRL MP(MD). 8243/ 2024 :

To modify the conditions imposed in 5(i) and (iii) of the order in Crl.OP(MD) No.6491/2024 dated 19.07.2024.

Order : These Criminal Miscellaneous Petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of Mr.RM.ARUN SWAMINATHAN, Advocate for the petitioners in both the petitions and of Mr.B.THANGA ARAVINDH, Government Advocate(Crl.side) on behalf of the Respondent in both the petitions., the Court made the following order:-

These petitions have been filed by the petitioners seeking to modify the condition imposed by this Court in Crl.O.P(MD) Nos.5338 & 6491 of 2024.

2.The learned counsel for the petitioners submitted that the entire Jamath members belonging to Meerasa Jamath have been arrayed as accused in Cr.No.157 & 158 of 2024 on the file of the respondent Police. This Court has already granted anticipatory bail in Crl.O.P(MD) No.5338 of 2024, dated 24.06.2024 for 18 persons, who were arrayed as accused in Cr.No.157 of 2024 and also granted anticipatory bail in Crl.O.P(MD) No.6491 of 2024, dated 19.07.2024 for 6 persons, who were arrayed as accused in Cr.No.158 of 2024. At the time of granting anticipatory bail, this Court has directed the petitioners to furnish two sureties each for a sum of Rs.25,000/- to



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the satisfaction of the trial Court. Now, the petitioners could not arrange two sureties each, since all the petitioners are residents and relatives of a particular area. Hence, these petitions have been filed seeking modification of the aforesaid condition.

3.Considering the aforesaid averments made by the learned counsel for the petitioners and the nature of dispute between the parties, this Court hereby modifies the condition No.5(i) in CrI.O.P(MD) No.5338 of 2024 to the effect that:

- The petitioners shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand) each with one surety** for a likesum to the satisfaction of the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari District.

4.In respect of CrI.O.P(MD) No.6491 of 2024, **the trial Court shall accept the same sureties furnished by the petitioners in CrI.O.P(MD) No.5338 of 2024.**

5.With the above modifications, these Criminal Miscellaneous Petitions are ordered.

sd/-
19/08/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE JUDICIAL MAGISTRATE NO.I
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KANNIYAKUMARI POLICE STATION, KANNIYAKUMARI,
KANNIYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.RM.ARUN SWAMINATHAN, Advocate (SR-10209,10210[I] dated
21/08/2024)

ORDER
IN

CrI.M.P(MD) Nos.7532 & 8243 of 2024
in CrI.O.P(MD) Nos.5338 & 6491 of 2024
Date :19/08/2024

SS/GS/SAR- /27/08/2024/5P/7C

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