



CRL OP(MD). No.17367 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

THE HON'BLE MR.JUSTICE K. RAJASEKAR

CRL OP(MD). No.17367 of 2024

- 1.Anvar Beig
- 2.M.Rahamathullah
- 3.Jahangir
- 4.K.Ayaskhan
- 5.P.Mohamed Manzur
- 6.M.Sikkandar
- 7.S.Raja Mohammed
- 8.S.Poochandu
- 9.S.Abdul Hakkim
- 10.S.Asmath Husein
- 11.P.Mohamed Basudeen
- 12.P.Ajith Khan

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



CRL OP(MD). No.17367 of 2024

13.S.Kaja Raja

14.P.Ajiesh

15.Mohamed Ibrahim @ Macha Raja

16.Mohamed Abdul Jafar @ Jafarullah

17.A.Yasin Mohammed

18.M.Rabeek Raja

19.Prozkhan

20.Jamal Moammed Iliyas

21.Imrankhan

22.Selvam

23.Sheik Mohammed Kasim

24.M.Amanulla ... Petitioners/ Accused Nos.1 to 5, 7 to 18
and 20 to 26

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Melavalavu Police Station,
Melur Taluk,
Madurai District.
(Crime No. 221 of 2024)

... Respondent/Complainant

For Petitioners : Mr.P.Venkatesan
Advocate.



WEB COPY



CRL OP(MD). No.17367 of 2024

For Respondent

: Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.221 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 329(4), 296(b), 115(2), 118(1), 351(3) of BNS r/w Section 4 of Tamilnadu Prohibition of Harassment of Womens Act, in connection with Crime No.221 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there is a Jamath in the village of the defacto complainant and there is a dispute among the members of the Jamath and they divided into two groups. On 29.09.2024, the petitioners Nos.1 to 3 alleged to trespassed into the grocery shop of the defacto complainant and quarrelled with him. The third petitioner herein has attacked the defacto complainant's husband and caused injuries. Other petitioners have threatened her. Hence the complaint.



CRL OP(MD). No.17367 of 2024

WEB COPY

3. The learned counsel for the petitioners submits that there exists a dispute between two groups of jamath members. Initially, a case has also been registered in Crime No.220 of 2024 against the defacto complainant. As a counter blast, the defacto complainant has lodged a false case against the petitioners herein.

4. The learned Government Advocate(Crl.side) appearing for the respondent submits that there was a quarrel between two groups of jamath members. Five previous cases are pending against the 2nd petitioner / 2nd accused herein for the offences under the IPC, TNPHW Act and Section 8,9 and 12 of TNG Acts.

5. Considering the above submissions of the learned Government Advocate (Crl.) side that the 2nd petitioner / Rahamathullah is having five previous cases, this Court is not inclined to grant relief to him. Accordingly, this Criminal Original Petition is dismissed in so far as the second petitioner is concerned.

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



CRL OP(MD). No.17367 of 2024

WEB COPY

7. Accordingly, this Criminal Original Petition is allowed and the petitioner Nos.1 and 3 to 24, are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

- (a) the petitioner Nos.1 and 3 to 24, and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;
- (b) the petitioner Nos.1 and 3 to 13, 15, 16, 18 to 24, shall report before the respondent police daily at 06.00 pm for a period of one week. Since the petitioner Nos.14 and 17 are students, they shall report before the respondent police as and when required for interrogation.
- (c) the petitioner Nos.1 and 3 to 24, shall not tamper with evidence or witness either during investigation or trial;
- (d) the petitioner Nos.1 and 3 to 24, shall not abscond either during



CRL OP(MD). No.17367 of 2024

WEB COPY

investigation or trial;

- (e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner Nos.1 and 3 to 24, 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]; and;
- (f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/10/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1.THE JUDICIAL MAGISTRATE, MELUR,
MADURAI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



CRL OP(MD). No.17367 of 2024

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

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

+1 CC to M/s.C.R.RAVINDRA KUMAR, Advocate (SR-12367[I] dated 10/10/2024)

ORDER
IN
CRL OP(MD) No.17367 of 2024
Date :09/10/2024

RK/JGB (16/10/2024) 7P / 6C

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