



CRL.O.P(MD).No.2056 of 2023

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

Wednesday, the Twentieth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL.M.P(MD).Nos.17630 of 2023 and 2427 of 2024  
in  
CRL.O.P(MD).No.2056 of 2023

IN CRL MP(MD)No.17630 of 2023

DR.SIKKANDER BATHUSHA

... PETITIONER/INTERVENER/  
DEFACTO COMPLAINANT

Vs

1 THE SUB INSPECTOR OF POLICE  
S.S.COLONY POLICE STATION,  
MADURAI CITY.  
(IN CRIME NO.2414 OF 2022)

...1ST RESPONDENT/1ST RESPONDENT/  
COMPLAINANT

2 MANZOOR ASAN

3 THAHIRA SHERIN

... RESPONDENTS NO.2 & 3/PETITIONERS/  
ACCUSED NO.1 & 2

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the Anticipatory Bail order against the R2 and R3/Accused NO. and 2 granted by this Honble Court in Crl.O.P.(MD).No.2056 of 2023 dt.15.02.2023.



CRL.O.P(MD).No.2056 of 2023

IN CRL MP(MD)NO.2427 OF 2024:

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1. MANZOOR ASAN @ MANSOOR ASAN

2. THAHIRA SHERIN

... PETITIONERS/PETITIONERS

VS

THE SUB INSPECTOR OF POLICE  
S.S.COLONY POLICE STATION,  
MADURAI CITY.  
(IN CRIME NO.2414 OF 2022)

... RESPONDENT/RESPONDENT

Prayer in CRL MP(MD). 2427/ 2024 :

To Extend the time period to pay a sum of Rs500000/- by the petitioners to comply the order made in CrI.O.P.(MD).No.2056/2023 dt 15.02.2023 for further 8 weeks and thus render justice.

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 M/S.HAROON RASHEED.D.S, Advocate for the petitioner in CRL MP(MD) No.17630 of 2023 and of MR.S.VISHNUVARDHAN, Advocate on behalf of the Petitioners in CRL MP(MD)No.2427 of 2024 and MR.P.KOTTAICHAMY, Government Advocate(CrI.side) Respondent No.1 in CRL MP(MD)No.17630 of 2023 and Respondent in CRL MP(MD)No.2427 of 2024, the court made the following order:-

CrI.M.P(MD).No.2427 of 2024 has been filed to extend the time limit to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) by the petitioners to comply with the order made in CrI.O.P(MD).No.2056 of 2023, dated 15.02.2023, for a further period of eight weeks.



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2. CrI.M.P(MD).No.17630 of 2023 has been filed by the defacto complainant to cancel the anticipatory bail granted to the accused persons by this Court in CrI.O.P (MD).No.2056 of 2023 vide order dated 15.02.2023.

3. The learned counsel appearing for the petitioners in CrI.M.P(MD).No.2427 of 2024 submits that as per the prosecution case, the defacto complainant had given a sum of Rs.25,00,000/- to the petitioners, however, they have cheated the defacto complainant. Out of Rs.25,00,000/-, they have paid a sum of Rs.20,00,000/- to the defacto complainant and for the remaining amount of Rs.5,00,000/- to be paid, a Petition has been filed seeking extension of time. However, during the pendency of the petition for extension of time, the petitioners have arranged the amount and have taken Demand Draft for a sum of Rs.5,00,000/- in the name of the defacto complainant and handed over the same to the defacto complainant in the open Court. He would further submit that for non-compliance of the order passed in CrI.O.P (MD).No.2056 of 2023 dated 15.02.2023, the defacto complainant has filed a petition in CrI.M.P(MD).No.17630 of 2023, seeking cancellation of the anticipatory bail granted to the petitioners. Hence, he prays for appropriate orders.



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4. The learned counsel appearing for the defacto complainant/petitioner in CrI.M.P(MD).No.17630 of 2023 submits that the defacto complainant is ready to co-operate for closure of the complaint by the Police.

5. Since the petitioners in CrI.M.P(MD).No.2427 of 2024 have paid the entire amount of Rs.25,00,000/- in favour of the defacto complainant, no further orders are required to be passed in these petitions. Accordingly, these petitions are closed.

6. However, the Law Enforcing Agency is directed to close the complaint as 'action dropped' within a period of four weeks from the date of receipt of a copy of this order.

sd/-  
20/03/2024

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/04/2024  
Sub-Assistant Registrar (CS -I/ II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

ssb  
TO

1. THE JUDICIAL MAGISTRATE NO.V, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.



CRL.O.P(MD).No.2056 of 2023

3. THE SUB INSPECTOR OF POLICE,  
S.S COLONY POLICE STATION,  
MADURAI CITY,  
MADURAI.

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

ORDER  
IN  
CRL.M.P(MD).Nos.17630 of 2023 and 2427 of 2024  
in  
CRL.O.P(MD).No.2056 of 2023  
Date :20/03/2024

RK/VR (16/04/2024) 5P /5C  
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