



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

Thursday, the Thirtieth day of April Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

WEB COPY

CRL OP (MD) No.5279 of 2020

1. Anis @ Anis Mohamed
2. Mydeen @ Syed Mydeen
3. Asik @ Mohamed Ashik
4. Mohamed Yusuf
5. Navaskhan
6. Jalal @ Jalaludeen ...PETITIONERS / ACCUSED No.2,3,5,8,9 & 11

Vs

State Represented through the
Inspector of Police,
Kayathar Police Station,
Thoothukudi District.

(In Crime No.120 of 2020) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.A.JINNAH, Advocate

For Respondent : M/S.S.CHANDRASEKAR, Addl. Public Prosecutor

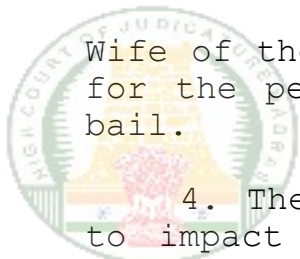
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are arrayed as Accused Nos.2,3,5,8,9 & 11, who were arrested and remanded to judicial custody on 05.04.2020 for the alleged offences punishable under Sections 143, 294(b), 353, 332, 427, 506(ii), 270 & 271 of IPC r/w section 51(a) of Disaster Management Act, 2005 and Section 3 of Epidemic Diseases Act, 1897 in Crime No. 120 of 2020 on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that these petitioners have obstructed the Health Inspector and other Public Officers to secure the corona Virus suspected person Kaja Mydeen for quarantine.

3. The learned counsel for the petitioners submitted that the petitioners did not commit any offences as alleged by the respondent police. He would further submit that one day previous on 04.04.2020 the first petitioner went for purchasing essential commodities, at the time there was a quarrel between the police and in order to harass the petitioners a false case has been registered against the petitioners. He further submitted that the petitioners are in judicial custody for more than 18 days. Except the offence under Section 506(i) of IPC the other offences are bailable offences.



Wife of the first petitioner is in family way. The learned counsel for the petitioners prays that the petitioners may be released on bail.

4. The learned Additional Public Prosecutor submitted that due to impact of Corona Virus the Health Inspector along with other officials went to secure the suspected Kaja Mydeen for quarantine. The petitioners have obstructed and prevented the public officers to do their duties. He further submitted that the offences are serious in nature and hence, prays for dismissal of the petition.

5. I have heard both sides and perused the material documents available on record.

6. In the aforesaid facts and circumstances of the case these petitioners have obstructed the Public Officers and prevented them to do their duties and considering the pandemic situation and also serious in nature of the offence, I am not inclined to grant bail to the petitioners.

7. Accordingly, this petition is dismissed. However, the respondent police is directed to verify as to whether wife of the first petitioner is in family way, in case do needful to the wife of the first petitioner.

sd/-
30/04/2020

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION, THOOTHUKUDI DISTRICT.
2. THE OFFICER INCHARGE, DISTRICT JAIL,
PERURANI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5279 of 2020
Date :30/04/2020

SMA/SKN/SAR-II/30.04.2020/2P.4C