



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

Date : 22/10/2020

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CRL OP(MD). No.11743 of 2020

1.Tamilmaran
2.Lakshmanan

... Petitioners/Accused 2 & 4

Vs

The State represented by its
The Inspector of Police,
Nainar Kovil Police Station,
Ramanthapuram District.
Crime No.123 of 2020

... Respondent/Complainant

For Petitioners : Mr.J.John Raja Durai,
Advocate.

For Respondent : M/s.S.E.Veronica Vincent,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

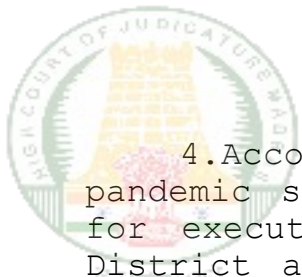
For Anticipatory Bail in Crime No. 123 of 2020 on the file of
the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and
the learned Government Advocate(Crl. Side) appearing for the
respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 379,
429 & 511 of I.P.C., in Crime No.123 of 2020 on the file of the
respondent police, seek anticipatory bail.

3.The learned counsel appearing for the petitioners would
submit that the very same petitioners were granted anticipatory bail
by the learned District and Sessions Judge, Ramanathapuram, on
07.05.2020 in Crl.M.P.No.862 of 2020.



4. According to the petitioners, due to the present COVID-19 pandemic situation, the petitioners were unable to mobilize funds for executing the sureties in time, as directed by the learned District and Sessions Judge, Ramanathapuram, in CrI.M.P.No.862 of 2020. Further, the co-accused have also been granted anticipatory bail by the learned District and Sessions Judge, Ramanathapuram in CrI.M.P.No.114 of 2020. In such circumstances, this application for anticipatory bail has been filed before this Court.

5. The learned Government Advocate (CrI.Side), on instructions, also concedes that the petitioners had obtained anticipatory bail before the learned District and Sessions Judge, Ramanathapuram, in CrI.M.P.No.862 of 2020.

6. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of 15 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties 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 condition that:

(a) the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during 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 petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR



(f) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/10/2020

WEB COPY

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKUDI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
NAINAR KOVIL POLICE STATION,
RAMANTHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.JOHN RAJADURAI, Advocate (SR-7144[I] dated 23/10/2020)

ORDER
IN
CRL OP(MD) No.11743 of 2020
Date :22/10/2020

MM/AKV
TK/PN/SAR.3/28.10.2020/3P/6C