



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

Date : 21/12/2020

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.14890 of 2020

1. Humthul @ Humthun Nishar
2. Selvam

... Petitioners/Accused Nos.1 & 2

Vs

State Rep.by
The Inspector of Police,
Mandapam Police Station
Ramanathapuram District.
Crime No.343/2020

... Respondent/Complainant

For Petitioners: Mr.T.Veerakumar,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime 343 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 147, 148, 332, 353, 294(b), 392 & 307 of I.P.C., in Crime No.343 of 2020 on the file of the respondent police, seek anticipatory bail.

3.In view of the fact that the other co-accused were released on Anticipatory Bail and thus, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Ramanathapuram, and on their executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two



sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

(a) the petitioner shall appear before the respondent police every day twice morning at 10.00 am., and evening at 06.00 pm., for a period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
21/12/2020

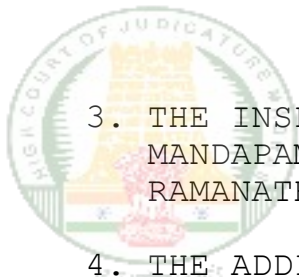
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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, RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3. THE INSPECTOR OF POLICE,
MANDAPAM POLICE STATION
RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14890 of 2020

Date :21/12/2020

MS/JM/SAR-3/29.12.2020/3P.5C