



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9618 of 2022

1 ABUTHAHIR
2 HAIKE MOHAMMED
3 MOHAMMED DEEN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KOOTHANALLUR POLICE STATION,
TIRUVARUR DISTRICT
(CRIME NO.533/2021)

[RESPONDENT]

For Petitioner : M/S.N.PALANIVEL Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323 and 506(I) of IPC in Crime No.533 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The petitioners were granted anticipatory bail on condition that they should furnish surety within a period of fifteen days from lifting of lockdown or the commencement of the Court's normal functioning and the same was passed on 06.01.2022.

3. The Courts were started functioning in both virtual mode and physical mode from the month of February. However, the petitioners has not complied the condition and now has come before this Court seeking anticipatory bail again.



3. The learned counsel for the petitioners states that they were unable to arrange for surety as mandated by this Court.

4. Considering the offence alleged against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Mannargudi, on condition that each of the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) , with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the Investigation Officer daily at 10.30 a.m. for a period of 30 days;

(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 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/-

27/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, MANNARGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KOOTHANALLUR POLICE STATION,
TIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.PALANIVEL Advocate on payment of necessary
charges SR.NO. 6324

CRL OP.9618/2022

Date :27/04/2022

RW 02/05/2022