

CRL.O.P.No.16917 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested and remanded to judicial custody on 05.07.2016 for the alleged offence punishable under Section 25(1-A) of the Indian Arms Act, 1959 in Crime No.428 of 2016 on the file of the respondent police, seeks bail.

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

3.The case of the prosecution is that the petitioner was found in possession of 1 1/2 feet knife. Hence, the present complaint.

4.The learned counsel for the petitioner submitted that the petitioner is a college going student. He further submitted he is innocent and he has been falsely implicated in this case.

5.Learned Government Advocate (Crl. Side) on instructions would submit that there is no bad antecedents against the petitioner.

6.Considering the facts and circumstances of the case and taking note of the fact that the petitioner is not involved in any previous case and also considering the period of incarceration of the petitioner, **the petitioner is ordered to be released on bail subject to the following conditions:**

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(i)the petitioner shall execute a 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 XIII Metropolitan Magistrate, Egmore, Chennai;

(ii)the petitioner shall report before the respondent police daily at 5.30 p.m., for a period of one week and thereafter, the petitioner shall report before the respondent police on all Sundays at 11.00 a.m. until further orders;

(iii)the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv)the petitioner shall not abscond either during investigation or trial;

(v)on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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]**.

05.08.2016

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