



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

Monday, the Third day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.7996 of 2017

K.THENNARASAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THIRUVERUMBUR POLICE STATION,
TRICHY DISTRICT.

(IN CRIME NO.445 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

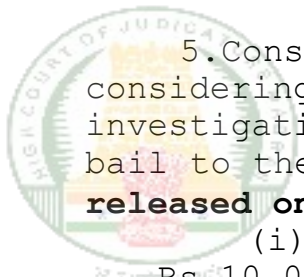
ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested on 28.05.2017 for the offences punishable under Section 25(1A) of Arms Act, in Crime No.445 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of a knife and 4 Aruvals.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is working in Railways and his brother namely, Thamilarasan is a notorious rowdy. The respondent Police enquired the whereabouts of the brother of the petitioner and when he was not able to give the details of his brother, the present complaint has been registered against him.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is the sole accused in this case and his earlier bail application in CrI.O.P.(MD)No.7400 of 2017 was dismissed on 16.06.2017 by this Court. He also submitted that 4 aruvals and one knife were recovered from the petitioner and investigation is almost completed.



5. Considering the facts and circumstances of the case and considering the fact that there is a change in circumstance since investigation is almost completed, this Court is inclined to grant bail to the petitioner. Accordingly, **the petitioner is ordered to be released on bail** subject to the following conditions:

(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 Judicial Magistrate No.VI, Trichy;

(ii) the petitioner is directed to appear before the Judicial Magistrate No.VI, Trichy daily at 10.30 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]**.

sd/-

03/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
THIRUVERUMBUR POLICE STATION, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MALAIKANI Advocate SR.No.25717

ORDER

IN

CRL OP(MD) No.7996 of 2017

Date : 03/07/2017