



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

Monday, the Sixteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.6072 of 2018

S. DIVYA PRABAKARAN

... PETITIONER / ACCUSED NO.A6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CBCID (OCU), TRICHY CITY,
TRICHY DISTRICT.
IN CR NO. 1 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.KARUPPASAMY Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is shown as Accused No.6. He was arrested and remanded to judicial custody on 03.02.2018 for the offences punishable under Sections 25 (1-A), 25(1-B) of Arms Act r/w 399 and 402 of IPC in Crime No.1 of 2018 on the file of the respondent police. He seeks bail.

2.The learned Government Advocate (Crl.Side) appearing for the respondent opposed to grant of bail to the petitioner.

3.The case of the prosecution is that the petitioner had been illegally selling pistols.

4.Some more pistols illegally sold by the petitioner are to be recovered. Hence, this Court is inclined to enlarge the petitioner on bail on condition that the petitioner shall appear before the respondent police daily and extend his fullest co-operation not only to the on going investigation, but also to recover the other arms. 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 learned Judicial Magistrate No.2, Tiruchirappalli.



(ii) The petitioner is directed to appear before the respondent police daily at 10.30 a.m till further orders.

(iii) On breach of any of the aforesaid condition, the learned 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 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].

sd/-
16/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TIRUCHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY
- 4 THE INSPECTOR OF POLICE
CBCID (OCU), TRICHY CITY,
TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.KARUPPASAMY Advocate SR.No.6248

ORDER
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Date :16/04/2018

MKV-CM-VR-SAR 4/16.4.2018/2P-7C