



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.1953 of 2019

SELVARAJ

... PETITIONER / ACCUSED No. 2

Vs

THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION,
TRICHY DISTRICT
(CR.NO.25/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.N.MOHAN Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 25(1)(a) of Arms Act and Sections 286, 336 and 337 IPC, in Cr.No.25 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner is said to have used single barrel gun without any valid licence. Hence, the complaint.

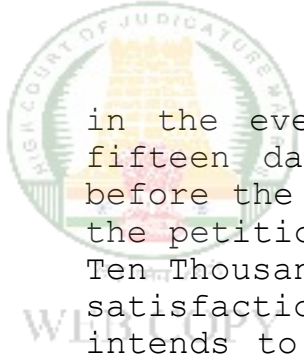
3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would submit that the first accused was arrested and released on bail in Cr1.O.P.(MD) No.284 of 2019.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that investigation is pending.

3.Considering the facts and circumstances of the case and considering the fact that all co-accused already released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Accordingly, the petitioner is ordered to be released on bail



in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(d) the petitioner 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 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
THURAIYUR, TRICHY DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

3 THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION, TRICHY DISTRICT

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

+1. CC to MR.N.MOHAN Advocate SR.No.2582

ORDER IN

CRL OP(MD) No.1953 of 2019

Date : 07/02/2019