

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

Thursday, the Ninth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL OP(MD) No.6965 of 2019

MUTHUVEL @ MUTHUKRISHNAN ... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY  
THE INSPECTOR OF POLICE,  
CBCID, OCU, TRICHY DISTRICT.  
IN CRIME NO.1/2018 ... RESPONDENT

For Petitioner : MR.C.SUSI KUMAR Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,  
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 25 (1-A), 25 (1-B) (a) of Arms Act 1957 r/w Sections 399 and 420 of IPC, in Crime No.1 of 2018, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 26.01.2018 at 22.00 hrs., the Inspector of Police, OCIU (Organized Crime Intelligence Unit) had received an intelligence source that a gang was trying to sell pistols and bullets in Trichy. Based on the information, he along with his party searched nearl Kalpanan Hotel. Based on the information, a suspect viz., one Parameswaran/A1, was enquired near Kalpana Hotel, Central Bus Stand. While searching his black shoulder bag, it was found 7.65 mm pistol and 7.65 mm bulets 5 numbers, without proper licence or Government Order. On enquiry, he stated that he was accompanied with one Nagaraj and Siva and they were staying in Room No.43 of Kalpana Hotel. A search was conducted in the room and found Nagaraj and Siva and recovered another 7.65 mm pistol and bullets 5 numbers from him. On enquiry, it is found that they were planning to sell the same in the black market, if not they planned to commit decoity along with his associates. Further, it

came to know that two other persons, on seeing the Police, had escaped from the Hotel Room. The pistols, bullets, cellphone, shoulder bag and other articles found were seized by Seizure Mahazar. All the accused were produced along with the properties through the Special Report before the Cantonment Police and the case was registered in Crime No.156 of 2018, for the offences under Sections 25 (1-A), 25 (1-B) (a) of Arms Act 1957 r/w Sections 399 and 420 of IPC.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.Heard the learned Government Advocate (Crl.Side).

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.VI, Trichy, and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. and 5.00 p.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
09/05/2019

/ 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 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY.
- 3 THE INSPECTOR OF POLICE,  
CBCID, OCU, TRICHY DISTRICT.

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

+1 CC to M/s.C.SUSI KUMAR, Advocate ( SR-8209[I] dated 09/05/2019 )

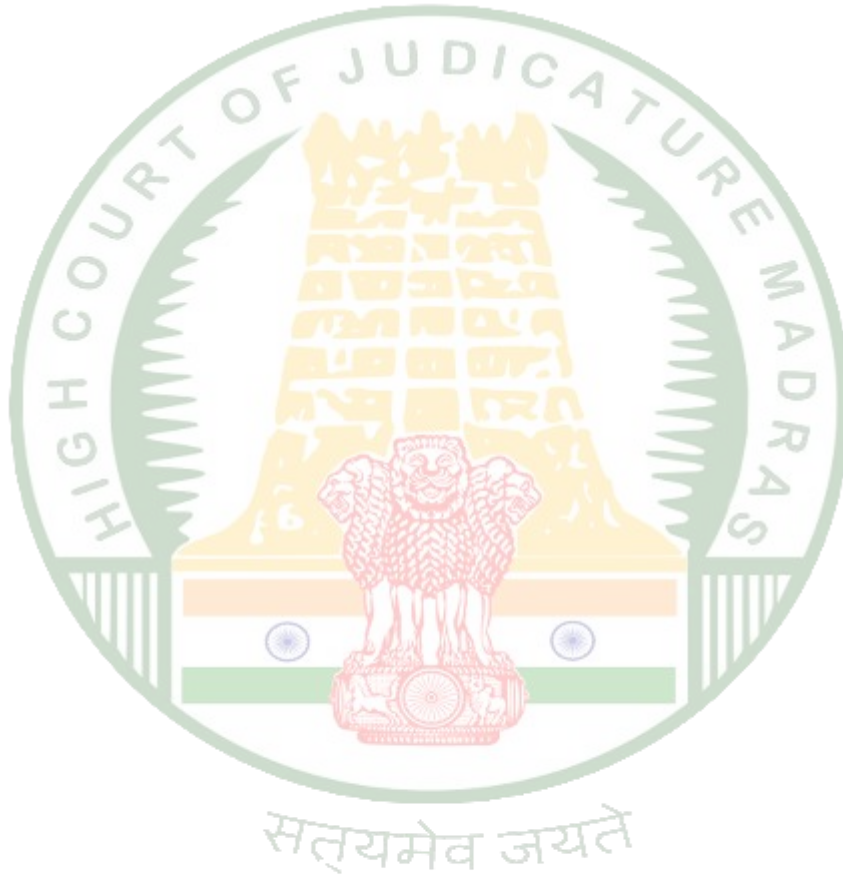
ORDER

IN

CRL OP(MD) No.6965 of 2019

Date :09/05/2019

JM/JC/SAR 4/15.05.2019/3P/6C



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