



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2019

WEB COPY

PRESENT

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

CRL OP(MD) . No.12284 of 2019

Arjun @ Kumaresan, ... Petitioner/Accused No.2

Vs

State Rep. By
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Cr. No. 302 of 2019. ... Respondent/Complainant

For Petitioner : M/s. R. Murugan,
Advocate.

For Respondent : A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.302 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

1.Heard the learned counsel on either side.

2.The petitioner is in custody since 26.08.2019, for the offences under Sections 109 and 506(ii) of I.P.C. r/w. 3, 5 and 25 (IB) (a) Arms Act, 1958. The offending items have been seized from accused.

3.The the learned Government Advocate (Criminal side) submitted that the petitioner is not having any bad antecedents.



4. Taking note of all these aspects, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

[a] the petitioner is ordered to be released on bail 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 Judicial Magistrate No.II, Ramanathapuram.

[b] the petitioner shall report before the respondent police as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/09/2019

/ TRUE COPY /

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

TO

1 JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE SUPERINTENDENT,
DISTRICT PRISON, RAMANATHAPURAM.



4 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION, RAMANATHAPURM
DISTRICT

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

+1. CC to M/S. R. MURUGAN Advocate SR.No.14600

ORDER
IN
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TR/PN/SAR-I (03.09.2019) 3P 7C