



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/02/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.3033 of 2020

S.Gunasekaran

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Koodalpudur Police Station,
Madurai City.
Crime No.46/2020

... Respondent/Complainant

For Petitioner : Mr.Gopala Krishna Lakshmana Raja, Senior Counsel
For Mr.C.Christopher, Advocate

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

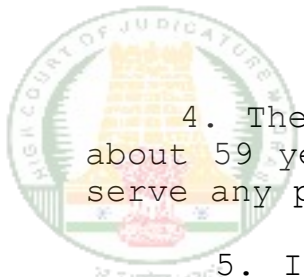
for bail in Crime No.46 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned senior counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 13.01.2020 for the offences under Section 3 r/w. 25(1B)(a) of Arms Act, 1959 in Crime No.46 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. The case of the prosecution is that based on the complaint given by Gunasekaran Crime No.10 of 2020 was registered by the respondent police. During the course of the investigation, it came to be known that the petitioner is in possession of pistol and some bullets. Based on the same, the instant FIR came to be registered and the weapons were also recovered.



4. The petitioner's counsel states that the petitioner is aged about 59 years and that his continued incarceration is not going to serve any purpose.

5. I am in agreement with the said submission. Hence, I am 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;

(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.IV, Madurai.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
20/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
KODALPUDUR POLICE STATION, MADURAI CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.CHRISTOPHER, Advocate (SR-3560[I] dated 20/02/2020)

ORDER
IN
CRL OP(MD) No.3033 of 2020
Date :20/02/2020

MS/PN/SAR-2/20.02.2020/2P.7C

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