



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

Date : 17/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9924 of 2020

1. MAHARAJAN
2. KOMBIA
3. MANIKANDAN
4. ARUNKUMAR
5. AMMU @ VENKATESH
6. RAMESWARAM

... PETITIONERS/
A3,A4,A5,A7,A8 AND 9th ACCUSED

VS

STATE REP.BY
THE INSPECTOR OF POLICE,
THACHANALLUR POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT
(CRIME NO. 976/2020).

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.P.Naveenkumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Cr.No.976 of 2020 on the file of the
respondent police.

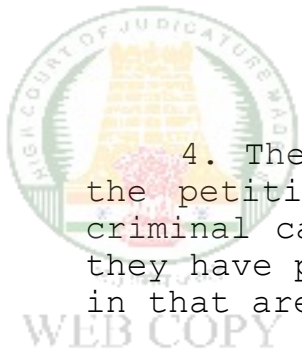
ORDER : The Court made the following order :-

The petitioners/A3,4,5,7,8 and 9 herein were arrested on
30.07.2020 for the alleged offence under Sections 120(b) of
IPC r/w.Section 25(1A) of Arms Act 1959.

2. The case of the prosecution is that on receipt of secret
information that the petitioners herein are planning to murder one
Thalavai who is a political activist, the respondent police rushed
to the scene of occurrence and they found the petitioners were in
possession of deadly weapons. Hence they have arrested them.

3. The learned counsel for the petitioners would submit that
the petitioners are innocent and they have been falsely implicated
in this case.

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



4. The learned Government Advocate (Crl.Side) would submit that the petitioners herein are notorious rowdy elements and several criminal cases are pending against them. He would also submit that they have planned to murder one Thalavai who is a political activist in that areas with deadly weapons.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that the petitioners herein only planned to murder one Thalavai and armed with deadly weapons and the said weapons were also recovered also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Tirunelveli.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

vi) If the petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
17/09/2020

/ TRUE COPY /

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

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

ORDER
IN
CRL OP(MD) No.9924 of 2020
Date :17/09/2020

AAV
JM/AKM/SAR III/17.09.2020/3P/6C