



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

Date : 05/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.12480 of 2020

Tangaraman

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Sellur Police Station,
Madurai.

Crime No.2372/2020

... Respondent/Complainant

For Petitioner : Mr.B.Sudhasathyananth,
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 Crime No.2372 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 08.10.2020 for the offences punishable under Sections 25 (1) of Arms Act on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner along with other accused persons were found in possession of deadly weapons. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would also submit that the weapons were also recovered from the petitioner herein.

4. The learned Government Advocate(Crl.Side) would submit that petitioner along with other accused persons were found in possession of deadly weapons and the same was recovered. He would also submit that the three previous case is pending against the petitioner.



5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also the fact that weapons were recovered, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, 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 blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai

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 petitioner shall stay at Tindivanam and report before the Tindivanam Police Station daily at 10.30 a.m until further orders.

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

iv) the petitioner 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 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].

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

sd/-
05/11/2020

/ 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.



TO

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

COPY TO:

THE INSPECTOR OF POLICE,
TINDIVANAM POLICE STATION, TINDIVANAM.

ORDER
IN
CRL OP(MD) No.12480 of 2020
Date : 05/11/2020

aav
TK/PN/SAR.4/05.11.2020/3P/7C