



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

Date : 21/12/2020

PRESENT

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

CRL OP(MD). No.15271 of 2020

Idly Prasanth @ Prasanth

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
Crime No.1442/2020.

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 1442 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 15.11.2020 for the offences punishable under Section 25(1-A) of Arms Act,1959 on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 15.11.2020 the petitioner herein was said to be in possession of long aruval. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the petitioner is in jail for more than 30 days, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that the petitioner herein was said to be in possession of long aruval. He would also submit that the aruval has been recovered from the

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



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 aruval has been 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, Pattukottai, Thanjavur District

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 Palani and report before the Palani Police Station daily at 10.30 a.m for a period of four weeks and thereafter before the respondent police 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/-
21/12/2020

/ 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.



- 1.THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3.THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
- 4.THE OFFICER INCHARGE,
PUDUKOTTAI DISTRICT JAIL, PUDUKOTTAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
PALANI POLICE STATION, PALANI.

ORDER
IN
CRL OP(MD) No.15271 of 2020
Date :21/12/2020

AAV
TK/PN/SAR.4/21.12.2020/3P/7C