



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.22756 of 2021

Vinoth

...Petitioner

Vs.

State, Rep. By  
The Inspector of Police  
Perambalur Police Station  
Perambalur  
(Crime No.1372 of 2021)

...Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.1372 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.Vijaya Raghavan

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Cr1. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 24.10.2021 for the offence under Section 25(1A) of Arms Act, in Crime No.1372 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 06.10.2021 one Tamilselvan was roaming in and around the District Court Campus, Perambalur and on enquiry, the respondent police officials found that he was possessed with a deadly weapon and stated that he came there along with the petitioner to give protection to one Navas Mohamed who came to the Court for appearing in a case relating to Crime No.2496 of 2020. Hence, the complaint.



3. The learned Counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case and that he is no way connected with the alleged offence. He would further submit that the petitioner is a college student studying B.A. Tamil in Government Arts Colleges, Perambalur, and that he has been suffering incarceration from 24.10.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner threatened the witness who had come to the Court for giving witness in another case but admits that the investigation is almost completed.

5. Considering the fact that the petitioner is aged about 19 years and he is a college student and also considering the period of incarceration undergone by him, this Court is inclined to grant bail to the petitioner with certain 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 sureties out of which, one surety shall be the mother or father of the petitioner, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Perambalur, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

30/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.I, PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
PERAMBALUR DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,  
PERAMBALUR POLICE STATION,  
PERAMBALUR.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.M.VIJAYA RAGAVAN Advocate on payment of necessary charges

CRL OP.22756/2021

Date :30/11/2021

RW 01/12/2021