



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24548 of 2021

NAWAS MOHAMED

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT
CRIME NO.1372 OF 2021

[RESPONDENT]

For Petitioner : M/S D.ARUN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

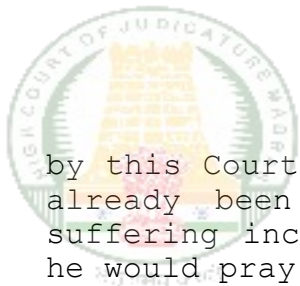
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 24.10.2021 for the offences under Sections 25(1A) of the Arms Act, 1959, 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, when the respondent police were on their regular patrol duty at Perambalur Combined Court Complex, A1 was found to be in possession of Knife in his hip. On enquiry, it was found that on the instruction of the petitioner/A2, in order to give him protection, A1 was carrying the knife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case based on the confession of A1. He would further submit that this is the second application for bail and the earlier application in Crl.O.No.22770 of 2021 was dismissed



by this Court by order dated 30.11.2021 but, the main accused/A1 has already been enlarged on bail and that the petitioner has been suffering incarceration for about 50 days from 24.10.2021 and hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner who is arrayed as A2 is having three previous cases out of which, one case for the offence under Section 302 I.P.C. and if he is released on bail, there is every possibility of the petitioner getting abscond and tampering the evidence.

5. Considering the facts and circumstances of the case and the antecedents of the petitioner and also considering the submission of the learned Government Advocate that there is every possibility of the petitioner getting abscond and tampering the evidence if he is released on bail, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

16/12/2021

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 INSPECTOR OF POLICE,
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S D.ARUN Advocate on payment of necessary charges

CRL OP.24548/2021

Date :16/12/2021

JPA 29/12/2021