



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

Date : 18/08/2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD). No.11679 of 2021

Prabu

... Petitioner/Accused  
(Rank Not Known)

**Vs**

The State rep.by  
The Inspector of Police,  
Pattukkottai Taluk Police Station,  
Thanjavur District.  
(Crime No.472/2021).

... Respondent/Complainant

For Petitioner : Mr.B.ANANDAN,  
Advocate.

For Respondent : Mr.T.SENTHILKUMAR,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

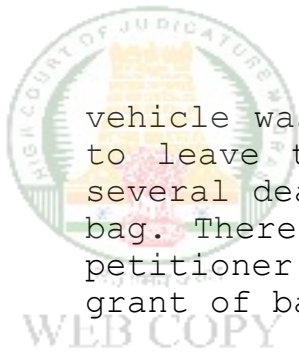
For Bail in Crime No.472 of 2021 on the file of the Respondent of Police.

**ORDER :** The Court made the following order :-

The petitioner/accused, who was arrested on 01.08.2021, for the offences punishable under Sections 147, 148, 506(ii) of IPC r/w. Section 25(1-A) of Arms Act, in Crime No.472 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant along with police parties, during the vehicle patrol, near Aathikottai Sendankandu Junction, found one Swift Dzire Travel vehicle, bearing Reg.No.TN05 BL 7236 in a suspicious manner. On seeing the police party, the said vehicle tried to leave the place. The respondent Police immediately intercepted the vehicle and found several deadly weapons inside the vehicle. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has been falsely implicated in this case. The learned counsel further submits that the petitioner is a taxi driver in a private Travel Agency at Pattukottai and the



vehicle was booked by the other accused. When the vehicle was about to leave the place, the Police intercepted the vehicle and found several deadly weapons inside the vehicle, which were concealed in a bag. Therefore, he is in no way connected with the case. Since the petitioner is languishing in jail from 01.08.2021, he seeks for grant of bail.

4. The learned Government Advocate(Crl.Side) appearing for the respondent opposed for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submits that the petitioner is not having any bad antecedent.

5. Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner, the period of incarceration and also the fact that the petitioner is not having any bad antecedent, this Court is inclined to grant bail to the petitioner.

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, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai 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 daily at 10.30 a.m. until further orders.**

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

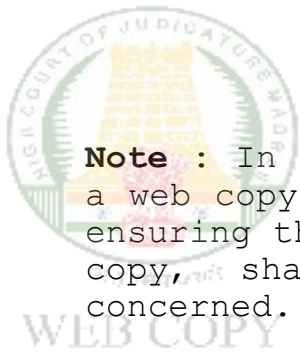
[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
18/08/2021

/ TRUE COPY /

/ /2021  
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  
PATTUKKOTTAI.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3.THE OFFICER INCHARGE,  
DISTRICT PRISON, PUDUKKOTTAI.
- 4.THE INSPECTOR OF POLICE  
PATTUKKOTTAI TALUK POLICE STATION,  
THANJAVUR DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**ORDER  
IN**

CRL OP(MD) No.11679 of 2021  
Date :18/08/2021

SA/PN/SAR.2/18.08.2021/3P/6C