



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17825 of 2021

R.Arumugam

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Appayanaickenpatti Police Station,
Virudhunagar District.
Crime No.81 of 2021.

... Respondent/Complainant

For Petitioner : Mr.P.Rajkumar,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

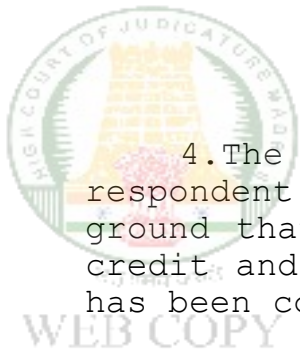
PRAYER :-For bail in Crime No.81 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.09.2021 for the offence punishable under Section 25 (1A) of Arms Act, 1959 in Crime No.81 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that on 30.09.2021 at about 08.00 hours, the defacto complainant received an information that the petitioner restrained the road with deadly weapon and threatened the public. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submitted that the petitioner is not having any previous case and also submitted that the petitioner is in judicial custody from 30.09.2021.



4.The learned Additional Public Prosecutor appearing for the respondent police opposed to grant bail to the petitioner on the ground that the petitioner is having several previous cases to his credit and also submitted that the major part of the investigation has been completed.

5.Considering the facts that the petitioner is in judicial custody from 30.09.2021 and also considering the nature of the charges levelled against the petitioner, this Court is inclined to grant anticipatory 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.I, Sattur, and on further conditions that;

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 report 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/-

16/11/2021

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/ /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



TO

1 THE JUDICIAL MAGISTRATE NO.I,
SATTUR.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE
APPAYANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.P.RAJKUMAR, Advocate SR.No.8234.

ORDER

IN

CRL OP(MD) No.17825 of 2021

Date :16/11/2021

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