



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/12/2021
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19364 of 2021

Masimalayan

... Petitioner/Sole Accused

Vs

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

... Respondent/Complainant

For Petitioner : Mr.S.Balamurugan,
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/Sole Accused, who was arrested and remanded to judicial custody on 04.10.2021 for the offence punishable under Sections 25(1A) of Indian 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 04.10.2021, the petitioner was found with two sickles having length of 1 ½ feet in his two wheeler bearing Registration No.TN-63-AM-0370 (Bajaj CT 100) for causing threat to the public. Hence, this complaint.

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, he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 04.10.2021 and more than 60 days, he is in custody and hence, he seeks statutory bail to the petitioner under Section 167 (2) Cr.P.C.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having two previous cases. Among which, one is 302 IPC offence and the cases are still pending against the petitioner.



5.The learned counsel for the petitioner would submit that because of the above said murder case, this case has been foisted against the petitioner.

6.Considering the facts and circumstances of the case and also the fact that the petitioner is in judicial custody for a period of more than 60 days, this Court is inclined to grant statutory bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail, on executing a personal 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, Thiruchuli, Virudhunagar District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
07/12/2021

/ 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
THIRUCHULI, VIRUDHUNAGAR DISTRICT.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR, .
- 4 THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.S.BALAMURUGAN, Advocate SR.No.8957.

ORDER
IN
CRL OP(MD) No.19364 of 2021
Date :07/12/2021

dss

MK/VR/SAR.III/08.12.2021/2P/7C

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