



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8670 of 2022

1.Dharmalingam
2.Mohan

.. Petitioners

Vs.

The State rep. by
The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
(Crime No.142 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail pending investigation in Crime No.142 of 2022, pending on the file of the respondent police.

For Petitioners : Mr.J.Pradeep

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioners, who were arrested on 22.03.2022 for the offences punishable under Sections 25(1A) of Arms Act 1959 in Crime No.142 of 2022, on the file of the respondent police, seek bail.

2. The petitioners were found in possession of unlicensed country gun and during the interrogation, they have confessed that they were proceeding to the reserve forest area for hunting and these petitioners were arrested on 22.03.2022 along with the unlicensed country gun and cycle ballrus.

3.The F.I.R indicates that these petitioners found the country gun somewhere in the field and they tried to venture using the gun. Taking note of the fact that these petitioners are in prison for the past 28 days, this Court is inclined to grant bail to these petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions;



(a) Each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Uthangarai, Dharmapuri District;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioners are directed to stay at Hosur and report Hosur Town Police twice daily at 10.00 a.m. and 05.00 p.m. until further orders.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

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

-sd/-

18/04/2022

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,
UTHANGARAI, DHARMAPURI DISTRICT.

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

3 THE OFFICER INCHARGE,
SUB JAIL, KRISHNAGIRI.



4 THE INSPECTOR OF POLICE,
UTHANGARAI POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE INSPECTOR OF POLICE/
STATION HOUSE OFFICER,
HOSUR TOWN POLICE STATION,
HOSUR.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.J.PRADEEP Advocate on payment of necessary charges

CRL OP.8670/2022

Date :18/04/2022

RW 19/04/2022