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CrI.OP.No.20362 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.20362 of 2022

Saravanan

...Petitioner

Vs.

State represented by
Inspector of Police,
Banavaram Police Station,
Ranipet District.
(Crime No.137 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with the case in Crime No. 137 of 2022 pending investigation on the file of the Respondent Police.

For Petitioner :Mr.M.Guruprasad

For Respondent :Mr.A.Damodaran,
Additional Public Prosecutor

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 11.07.2022 for the offences punishable under Sections **364, 302, 201, 147, 148 and 120(b) of IPC** in crime No.137 of 2022 on the file of the respondent police, seek bail.

2. There are totally nine accused in this case and the petitioner is arrayed as A9. Even according to the case of the prosecution, other accused person had purchased the alleged weapons from the petitioner for the unlawful and illegal purpose and the petitioner is a black smith.

3. It is also seen that, the petitioner was not present at the time of occurrence and there is no specific overt act against the petitioner except the fact that he had sold out the weapons to the accused persons.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of their arrest i.e., 11.07.2022, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail



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on his executing a 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 **Judicial Magistrate, Sholinghur** 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 twice daily at 10.30 a.m. and 5.30 p.m., for a period of six weeks and thereafter as and when required for interrogation.

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

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

[e] 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]**.



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

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Sma



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To

1. Judicial Magistrate,
Sholinghur.
2. Inspector of Police,
Banavaram Police Station,
Ranipet District.
3. Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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