



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14.06.2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10460 of 2022

1. Karthick
2. Ananth

... Petitioners/Accused 1 & 2

Vs

The State represented by
The Inspector of Police,
Thanjavur Town Police Station,
Thanjavur District.
(Crime No.557 of 2022)

... Respondent/Complainant

For Petitioners : Mr.R.L.DHILIPAN PANDIAN,
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl. side).

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

PRAYER :- For Bail in Crime No.557 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

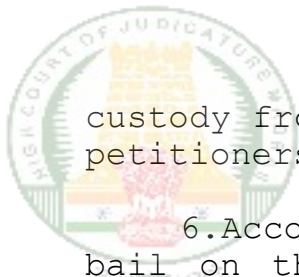
The petitioners/A.1 & A.2, who were arrested and remanded to judicial custody on 22.05.2022 for the offences punishable under Section 75(1)(C) of TNP Act r/w Section 25(1B)(a) of Arms Act, in Crime No.557 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners had abused the public and threatened them with dire consequences by using aruval and sword. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the first petitioner is having 10 previous cases, in which, seven cases were already ended in acquittal and that the second petitioner is having two previous cases for under Section 4(1)(a) of TNP Act.

5.Considering the nature of the charges levelled against the petitioners and also the fact that the petitioners are in judicial



custody from 22.05.2022, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur District.

(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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness;

(iv) the petitioners 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 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]***.

(vi) If the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
14/06/2022

/ TRUE COPY /

14/06/2022
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 NO.I
THANJAVUR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
THANJAVUR TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.10460 of 2022

Date :14/06/2022

SA/VR/SAR.3/14.06.2022/3P/6C