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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 29/08/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP (MD) Nos.14175 of 2022

Baskar : Petitioner/Sole Accused
Vs.

State represented by
The Inspector of Police,
Pudukottai Town,
Pudukottai District.
Crime No.263 of 2022

: Respondent/Complainant

For Petitioner : Mr.S.M.A.Jinnah, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate
(Criminal side)

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

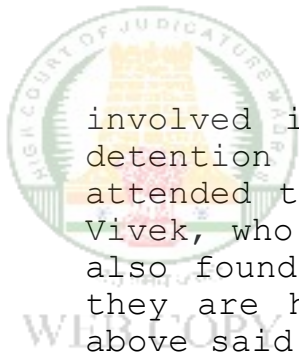
PRAYER :-

For Bail in Crime No.263 of 2022 on the file of the Respondent Police.

ORDER:- The Court made the following order:-

The petitioner, who is the sole accused was arrested on 21/06/2022 and remanded to judicial custody for the alleged offence under section 7 r/w 25(1A) of Arms Act, in Crime No.263 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant was working as Inspector of Police during the relevant time in Pudukottai Town. They were routine vehicle check up along with a police team. On 26/07/2022 at about 10.45 am, a two wheeler bearing registration No.TN-55-AX-7716 came in a great speed. On seeing the police team, the accused immediately turned back. He was apprehended and in the presence of Ayyappan and Sivaprasath search was made. On inspection and search, the accused found in possession of a sword, which is a prohibited one and he did give any proper reply or reasonable explanation for having possession of such sort of weapon. He has stated that he was an accused in the murder case of one Manikanda Prabh. After coming out of bail, they have also



involved in serious offences. They have been detained under the detention laws. After coming out of the prison, on 07/06/2022, he attended the Judicial Magistrate, Pudukottai and at that time, one Vivek, who is the enemy was found sitting in the varanda and he was also found inimical towards him. So on the ground to protect them, they are having weapons in their possession. On the basis of the above said occurrence, the case was registered.

3. Now seeking bail, this petition has been filed by the petitioner on the ground that more than the statutory period, he is in prison and now, the investigation has not been completed and so far, no final report has also been filed.

4. The learned Government Advocate (Criminal side) would submit that the petitioner is a history sheeted person and involved in more than 14 cases. They have also shown the list of cases pending against the petitioner.

5. No doubt, the petitioner is a history sheeted and involved in 14 previous cases. Out of the above said cases, in number of cases, he was involved in attempt to commit murder, robbery and possession of the contraband, assault cases, etc.

6. But however, considering the fact that the petitioner is in custody for more than the statutory period and since the offence under section 25(1A) of Arms Act, is only punishable only upto 10 years, he is entitled for statutory bail, without going into other aspects. Accordingly, the **petitioner is ordered to be released on bail** on his executing 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 learned Judicial Magistrate No.I, Pudukottai and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

sd/-
29/08/2022

/ TRUE COPY /

30/08/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To,

1. THE JUDICIAL MAGISTRATE NO.I, PUDUKOTTAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

<https://www.mhc.tn.gov.in/judis>



3. THE OFFICER IN CHARGE,
DISTRICT PRISON,
PUDUKOTTAI.

4. THE INSPECTOR OF POLICE,
PUDUKOTTAI TOWN,
PUDUKOTTAI DISTRICT.

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

+1. C.C. to M/S.S.M.A.JINNAH, Advocate, SR.No.9290

ORDER

IN

CRL OP (MD) No.14175 of 2022

Date :29/08/2022

RK/PN/SAR-II (30/08/2022) 3P/7C