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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/09/2022

PRESENT

**The Hon`ble Mr.Justice A.A.NAKKIRAN**

CRL OP(MD). No.17209 of 2022

Ajithkumar @ Ajith

... Petitioner/Accused

Vs

State Rep.by  
The Inspector of Police,  
Karaikudi South Police Station,  
Sivagangai District.  
Crime No.149 of 2022.

... Respondent/Complainant

For Petitioner : M/s.S.Rajamanickam, Advocate  
For Respondent : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.149 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 02.09.2022 for the alleged offence under Section 336 IPC, 25(1A) Arms Act, 8(c) r/w 20(b)(ii)(A) of NDPS Act, in Crime No.149 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02.09.2022, the accused was found in possession of deadly weapon of sword and threatened the public by endangering their life and also possessed 200 grams of ganja in his two wheeler, for the purpose of selling. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is innocent and he has been falsely implicated in this case. The petitioner is noway connected with the offence. The petitioner is in custody from the date of arrest, ie., 02.09.2022. Hence, prays to release him on bail.



4. On the side of respondent, it is stated that the petitioner is a history sheeted rowdy and he is having nine previous cases. He has possessed 200 grams of ganja and hence, prayed to dismiss the petition.

5. Considering the nature of the offence, facts and circumstances of the case and also considering the lesser quantity of contraband and the period of incarceration undergone by the petitioner, this Court is inclined to enlarge the petitioner on bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Karaikudi.

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 petitioner shall report before the respondent police daily at 10.30 a.m and 5.30p.m. until further orders;

iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall appear before the concerned Court on all hearing dates and appear before the respondent Police, as and when required;

v) 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];

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

sd/-

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27/09/2022

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

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, RAMANATHAPURAM.



4 THE INSPECTOR OF POLICE, KARAIKUDI SOUTH POLICE STATION,  
SIVAGANGAI DISTRICT.

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

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+1 CC to M/s.S.RAJAMANICKAM, Advocate (SR-10551[I] dated 27/09/2022)

ORDER

IN

CRL OP(MD) No.17209 of 2022

Date :27/09/2022

PNM

RS/SBN/SAR.3(27.09.2022) 3P-7C