



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.17584 of 2022

M.Karthikeyan @ Pallu Karthi

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
Crime No.1063/2022.

... Respondent/Complainant

For Petitioner : M/s.Priscilla Pandian.J, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

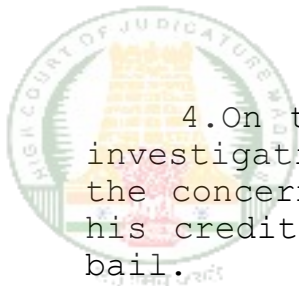
For Bail in Crime No.1063 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 24.07.2022 for the offences punishable under Section 25(1A) of Arms Act, 1959, in Crime No.1063 of 2022, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that the petitioner is said to have stood in the middle of the road possessing with 60cm long sword and causing intimidation to the general public. Hence, the complaint.

3.On the side of the petitioner, it is stated that this is the second bail petition. The petitioner is innocent and he has not committed any offence as alleged by the prosecution. In this case, after completion of investigation, charge sheet was also filed. He would further submit that the petitioner is in judicial custody from 24.07.2022 and he may be released on bail.



4. On the side of prosecution, it is stated that in the investigation is also completed and charge sheet also filed before the concerned Court. The petitioner is having 11 previous cases at his credit and hence, strongly oppose to release the petitioner on bail.

5. Considering the submissions made by both sides and facts and circumstances, considering the fact that in this case charge sheet was filed before the concerned Court and this is the second bail petition and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Judicial Magistrate No.I, Thanjavur.

(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 appear before the concerned Court on all hearings without fail;

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

(iv) the petitioner 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 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/-

10/10/2022

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10/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.

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

3 THE SUPERINTENDENT, CENTRAL PRISON, TIRUCHIRAPPALLI.



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

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

+2 CC to M/s.J.PRICILLA PANDIAN, Advocate (SR-11144[I] dated
10/10/2022)

ORDER

IN

CRL OP(MD) No.17584 of 2022

Date :10/10/2022

PNM

RS/SBN/SAR.(10.10.2022) 3P-8C