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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17979 of 2022

Jeeva

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Patteeswaram Police Station,
Thanjavur District.
(Crime No.534/2022)..

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian.R.L,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime no.534/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded judicial custody on 07.09.2022 for the offences punishable under Sections 25(1-A) of Arms Act and Section 386 of IPC in Crime No.534 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner said to have possessed two feet aruval and committed the offence, hence the case came to be registered.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 07.09.2022, hence he seeks bail.



4. The learned Government Advocate (Crl. Side) would submit that the petitioner was found in possession of two feet sword. He would further submit that no one sustained injuries in the said occurrence.

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5. Taking into consideration the facts and circumstances of the case and also considering the fact that no one sustained injuries in the occurrence and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, 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 report before the respondent police daily at 10.30 a.m., for a period of six weeks and thereafter as and when required for interrogation;

(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]**.

sd/-

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07/10/2022

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

AAV



TO

1. THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
3. THE OFFICER IN CHARGE,
SUB JAIL, KUMBAKONAM,
THANJAVUR.
4. THE INSPECTOR OF POLICE,
PATTEESWARAM POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17979 of 2022
Date :07/10/2022

RK/SBN/SAR-1 (07/10/2022) 3P/6C