



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/10/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.18730 of 2022

Suriya

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
South Police Station,
Thanjavur District.
(Crime No.266/2022).

... Respondent/Complainant

For Petitioner : M/s.Karunakaran K M,
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.266/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 11.02.2022 for the offences punishable under Section 25(1-A) of Arms Act, in crime No.266 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and another accused were in possession of deadly weapons. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that that the petitioner is in judicial from 11.02.2022 and hence, he may be released on bail.

4.The learned Additional Public Prosecutor strongly opposed this petition stating that this the second bail application and the earlier application was dismissed by this Court dated 06.10.2022 in Crl.O.P.(MD)No.17858 of 2022. The petitioner is having 12 previous cases. The investigation has been completed and the charge sheet has



already been filed and the same was taken on file in S.C.1 of 2022 before the learned Principal Sessions Court, Thanjavur.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and also the fact that the case was taken on file as S.C.No.205 of 2022 before the Principal Sessions Court, Thanjavur, this Court is inclined to grant bail to the petitioner.

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 learned Judicial Magistrate No.1, 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 trial Court on all hearing dates 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].

sd/-

19/10/2022

/ TRUE COPY /

19/10/2022

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 JAIL PRISON, TRICHY.

<https://www.mca2018.org/>



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

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

+1. CC to M/S.KARUNAKARAN K M Advocate SR.No.11636

ORDER

IN

CRL OP(MD) No.18730 of 2022

Date :19/10/2022

SJI

SA/SBN/SAR. /19.10.2022/3P/7C