



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/11/2022

PRESENT

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

CRL OP(MD). No.19808 of 2022

Santhakumar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
Crime No.1193 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidamabaram S,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

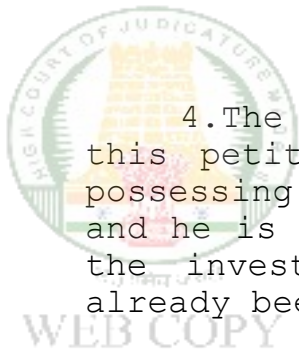
For Bail in Crime No.1193 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 10.10.2022 for the offences punishable under Section 25(1A) of Arms Act in Crime No.1193 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 10.10.2022, the petitioner has stood in the road possessing with long aruval and causing intimidation to the public. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to enmity between the petitioner and the respondent police, the present case has been falsely foisted against the petitioner and he is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 10.10.2022 and hence, he may be released on bail.



4.The learned Additional Public Prosecutor strongly opposed this petition stating that the petitioner has stood in the road possessing with long aruval and causing intimidation to the public and he is having four previous cases. He would further submit that the investigation has been completed and the charge sheet has already been filed before the concerned Court.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and also the fact that the charge sheet has already been filed before the concerned Court, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai, Thanjavur District.

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 until further orders.

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/-

09/11/2022

/ TRUE COPY /

09/11/2022

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

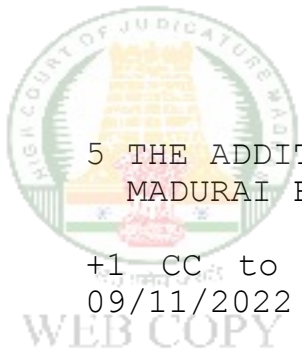
TO

1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI, THANJAVUR DISTRICT.

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

3 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE, PATTUKKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.



CRL OP(MD). N



22

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

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-12696[I] dated
09/11/2022)

ORDER

IN

CRL OP(MD) No.19808 of 2022

Date :09/11/2022

SJI

RS/VR/SAR. (09.11.2022) 3P-7C