



WEB COPY



Crl.O.P.No. 24536 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.24536 of 2023

Ramkumar

... Petitioner

Vs.

The State rep by
The Station House Officer,
Mangalam Police Station,
Puducherry.

(Crime No.123 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner / Accused on bail in Crime No.123 of 2023

pending on the file of the respondent Police.

For Petitioner : Mr.A.Anandharaj

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)
Assisted by M/s.N.Danalatchumy

ORDER

The petitioner/A4 who was arrested and remanded to judicial custody on 03.09.2023, registered by the respondent Police for the offences



Crl.O.P.No. 24536 of 2023

under Sections 25(1)(a) of Arms Act, 1959 and Section 4 of Explosive Substance Act, 1908 r/w Section 149 of IPC, in Crime No.123 of 2023, seeks bail.

2.It is the case of the respondent that when the Sub Inspector of Police went on evening rounds, he found all the accused persons in a suspicion manner and enquired them and found they were in possession of prohibited sharp knife, iron rod and country made bombs in order to commit the murder of their opponent group.

3.The learned counsel for the petitioner stated that the petitioner is innocent of the said offence.

4.On the side of the respondent, it is stated that there are two previous cases as against the petitioner herein.

5.However, it is also stated that some of the accused had been granted bail/anticipatory bail.

6.In view of that particular fact and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



Crl.O.P.No. 24536 of 2023

only) with two sureties, each for a like sum to the satisfaction of the learned

Judicial Magistrate No.IV, Puducherry and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.11.2023

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Crl.O.P.No. 24536 of 2023

C.V.KARTHIKEYAN, J.

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To

1. The IV Judicial Magistrate, Puducherry.
2. The Station House Officer,
Mangalam Police Station,
Puducherry.
3. The Central Prison, Puducherry.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.24536 of 2023

02.11.2023