



WEB COPY



CrI.O.P.No. 24537 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

CrI.O.P.No.24537 of 2023

Ramu @ Ramkumar

... Petitioner

Vs.

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

(Crime No.181 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.181 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.Danalatchamy

ORDER

The petitioner/A5 who was arrested and remanded to judicial custody on 03.09.2023, registered by the respondent Police for the offences under Sections 399, 402 of IPC and Section 25(1)(a) of Arms Act, 1959 and



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Section 4 of Explosive Substance Act, 1908, in Crime No.181 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 that all the accused persons in a suspicion manner and enquired them and they were in possession of one Veecharuval and also explosive materials for making country made bombs and assembled near Konerikuppam Grave Yard, Villianur for the purpose of committing decoity from the way passers.

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



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

Judicial Magistrate No.III, 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 5.30 p.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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C.V.KARTHIKEYAN, J.

vkr

To

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

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