



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.1706 of 2023

Vigneshwaran,

... Petitioner/Accused No 2

Vs

The Inspector of Police,
Sethubavachatram Police Station,
Thanjavur District.
(Crime No.8/2023)..

... Respondent/Complainant

For Petitioner : M/s.Anandan B,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.8/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 10.01.2023 for the offences punishable under Section 25 (1-A) of Arms Act in Crime No.8 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused said to have threatened the public showing aruval and on seeing the police they escaped from the scene of occurrence. Hence the case.

3. The learned counsel appearing for the petitioner would submit the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is in custody from 10.01.2023 and some of the co-accused have been granted bail by this Court, hence he seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with other accused said to have threatened the public showing approval, hence he objected to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and submissions made by the learned counsels and also taking into consideration the period of incarceration this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) 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 only), with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Peravurani, Thanjavur District and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall stay at Dindigul and report before the Dindigul town North Police Station daily at 10.30 am., until further orders.

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/01/2023

/ TRUE COPY /

30/01/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. The Superintendent, Sub Jail, Thanjavur
2. The Inspector of Police,
Sethubavachatram Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

1. The District Munsif cum Judicial Magistrate,
Peravurani, Thanjavur District
 2. The Inspector of Police,
Dindigul town North Police Station,
Dindigul.
- +1 CC to M/s.B.ANANDAN, Advocate, SR.No. 1422

CRL OP(MD) No.1706 of 2023
Date :30/01/2023

MK/SSS(30/01/2023) 3P 7C