



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/02/2023
PRESENT

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

CRL OP(MD) . No.2112 of 2023

1. Karthi @ Kattupoochi
2. Sundarraaj

... Petitioners/Accused Nos.2 & 3

Vs

The State rep.by
The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
Crime No.41 of 2023.

... Respondent/Complainant

For Petitioners : M/s.Sathya Chidambaram S,
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.41 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who were arrested and remanded to judicial custody on 12.01.2023 for the offence punishable under Sections 25(1-A) of Arms Act in Crime No.41 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with other accused were found in possession long knife causing intimidation to the public. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they been falsely implicated in this case. He would further submit that there are eight previous cases are pending against the petitioners and inorder to curtail the activities of the petitioners a false case has been foisted against them through the defacto complainant. He would further submit that the petitioners are in judicial custody from 12.01.2023, hence he seek bail.



4.The learned Additional Public Prosecutor appearing as respondent would submit that the petitioners along with other accused were found in possession long knife causing intimidation to the public , hence, he vehemently opposed to grant bail to the petitioners.

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5.Heard. 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 petitioners subject to the following conditions:

7.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Pattukottai, Thanjavur District and on further condition 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 petitioners shall report before the Dindigul town North Police Station everyday at 10.30 a.m., and 5.30 p.m.,until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

sd/-

02/02/2023

/ TRUE COPY /

02/02/2023

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



AAV
TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 4 THE INSPECTOR OF POLICE,
PATTUKKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL.

ORDER

IN

CRL OP(MD) No.2112 of 2023
Date :02/02/2023

SA/SSS/SAR. /02.02.2023/3P/7C