



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . 6256 of 2023

M.Afzal

... Petitioner/Sole Accused

Vs

State rep., by
The Inspector of Police,
Town East Police Station,
Thanjavur District.
(Crime No.107 of 2023).

... Respondent/Complainant

For Petitioner : Mr.R.Maheswaran

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.107 of 2023 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 13.02.2023 for the offences punishable under Sections 75(1)(C) of TNCP Act, 1888 r/w 25(1A) Arms Act in Crime No.107 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was roaming around the road with the possession of Aruval and also threatened the general public. Hence, the complaint.

3.Heard and perused the materials available on record and also including the FIR.

4.Considering the facts and circumstance of the case and no occurrence was occurred and also the period of incarceration, this court is inclined to grant bail to the petitioner subject to the following conditions:



5. Accordingly, the petitioner is ordered to be released on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.I, Thanjavur 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 and 05.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation.

[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.

sd/-

03/04/2023

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/04/2023

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

Rmk

To

- 1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE, TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC TO MR.R.MAHESWARAN, ADVOCATE, SR-5432[I]

ORDER

IN

CRL OP(MD) No.6256 of 2023

Date :03/04/2023

RS/VR/SAR-(03.04.2023) 2P 6C

<https://www.mhc.tn.gov.in/judis>