



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/04/2023

PRESENT

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

CRL OP(MD) . No.8013 of 2023

1. Kabil @ Kabilan

2. Dhivakar

... Petitioners/Accused

Vs

The State represented by
The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
(Crime No.312 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Mahendran.K,
Advocate.

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.312 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /Accused who were arrested and remanded to judicial custody on 12.04.2023 for the offence under section 25(1-A) of Arms Act,1959 in Crime No.312 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioners said to illegally possessed long aruval and caused criminal intimidation to the general public, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report. It is reported that 16 previous cases are pending against the first petitioner and five previous cases are pending against the second petitioner.



4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute 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 the learned Judicial Magistrate, Pattukottai and on further conditions that:

[b] 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.

[c] the petitioners shall report before the respondent police daily at 10.30 A.M. and 5.30 P.M. until further orders

[d] the petitioners shall not commit any offences of similar nature.

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

[f] the petitioners 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 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].

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

sd/-

27/04/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.MAHENDRAN.K, Advocate (SR-6720[I] dated 27/04/2023)

ORDER

IN

CRL OP(MD) No.8013 of 2023

Date :27/04/2023

SS/SSS/SAR /27/04/2023/3P/7C