



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28/04/2023

PRESENT

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

CRL OP(MD) . No.8187 of 2023

1. Ajithkumar
2. Subramaniyan
3. Mohanraj
4. Ravikumar
5. Nadarajan

... Petitioners/Accused Nos.1 to 5

Vs

The State rep. by
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.126/2023).

... Respondent/Complainant

For Petitioners : M/s.Pon Karthikeyan R,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Public Prosecutor

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

PRAYER :-

For Bail in Crime No.126/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A1 to A5 who were arrested and remanded to judicial custody on 18.04.2023 for the offences under sections 25 (1-A) of Arms Act in Crime No.126 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of single barrel gun without any license, hence the case.



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

4. Taking into consideration of 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, Manamadurai 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. for a period of two weeks and thereafter as and when required for interrogation.

[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/-
28/04/2023

/ TRUE COPY /

28/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. The Judicial Magistrate, Manamadurai.
2. Do through the Chief Judicial Magistrate,
Sivagangai District.
3. The Superintendent, District Jail, Ramanathapuram.
4. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.PON KARTHIKEYAN R, Advocate (SR-6905[I] dated
28/04/2023)

ORDER
IN
CRL OP(MD) No.8187 of 2023
Date : 28/04/2023

NA/SSS/SAR- /28.04.2023/3P/7C