



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

Date : 05/06/2023

PRESENT

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

CRL OP(MD) . No.9652 of 2023

Subash

... Petitioner / Accused No.1

Vs

State rep by
The Inspector of Police,
Theppakulam Police Station,
Madurai City, Madurai.
(Crime No.181 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Sukumar S, 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.181 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A1 who was arrested and remanded to judicial custody on 03.05.2023 for the offences under sections 25(1-A) of Arms Act,1959 and 506(ii) of IPC, in Crime No.181 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner said to have possessed a Pistol loaded with 4 bullets and causing intimidation to the public, hence the case.

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

4. Even though, the petitioner is having 4 previous cases, 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 petitioner, subject to the following



[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 Judicial Magistrate No.I, Madurai, 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 petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/06/2023

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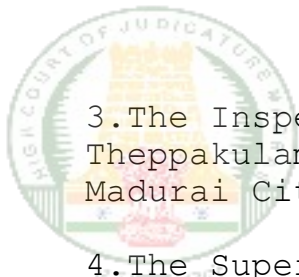
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate No.I,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.



3.The Inspector of Police,
Theppakulam Police Station,
Madurai City, Madurai.

4.The Superintendent,
Central Prison, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.S.SUKUMAR, Advocate SR-8061(I), dated 05.06.2023

ORDER

IN

CRL OP(MD) No.9652 of 2023

Date :05/06/2023

ED/MMS/SAR- (06/06/2023) 3P 7C