



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/06/2023
PRESENT

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

CRL OP(MD). No.11183 of 2023

Saravanakumar,

... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
In Crime No.115 of 2023.

... Respondent/Complainant

For Petitioner : M/s.MAHALINGAM 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.115 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 05.06.2023 for the offences under sections 5,25(1B)(a), 27(1),29(a) of Indian Arms Act,1959 rw/.section 9(B),(1)(a) of Indian Explosives Act,1884 in Crime No.115 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that A1 is residing at Watrap, Maravar North Street. Based on information that A1 was being in possession of arms on 05.06.2023 at about 17.00 hrs the respondent police searched A1's house and found he was in possession of single gun barrel-2, wooden gun handle in two separate bags without any license, hence the case.

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



4. Taking into consideration the facts and submissions by the learned counsels and also the period of incarceration and also the fact that co-accused was granted bail by this Court, this court is inclined to grant bail to the petitioner, subject to the following conditions:

[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 blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Srivilliputhur 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 stay at Madurai and report before the Inspector of Police, Tallakulam Police Station daily at 10.30 A.M. and 5.30P.M., for a period of two weeks and thereafter before the respondent police daily at 10.30 am., for a period of two weeks and thereafter as and when required for interrogation.

[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/-

22/06/2023

/ TRUE COPY /

22/06/2023

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



AAV

TO

1 THE JUDICIAL MAGISTRATE NO.I,
SRIVILLIPUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
WATRAP POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI.

+1. CC to M/S.MAHALINGAM S Advocate SR.No.9353

ORDER

IN

CRL OP(MD) No.11183 of 2023
Date :22/06/2023

SA/SSS/SAR. /22.06.2023/3P/8C