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Crl.O.P.No.217 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.217 of 2024

Rajendiran
S/o. Chinnaiyan

... Petitioner / Accused

Vs.

The State represented by
The Sub Inspector of Police,
Veppankuppam Police Station,
Vellore District.
(Crime No.368 of 2023)

... Respondent /Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.368 of 2023 on the file of
the respondent.

For Petitioner : Mr. T. Saravanan

For Respondent : Mr. L. Baskaran
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.11.2023 for the offences punishable under Sections 25(1B)(a) of Arms Act in Crime No.368 of 2023 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner was found in illegal possession of country made gun, which had also been recovered.

3.A counter affidavit has also been filed by the respondent, wherein, it is seen that substantial investigation had been done.

4.Taking all the factors into consideration and the period of incarceration suffered by the petitioner and the fact that substantial investigation has been done by the respondent, this Court is inclined to grant bail to the petitioner.

5.It is seen that the petitioner is also an accused in Crime No.363 of 2023, wherein, bail had also been granted by this Court in Crl.O.P.No.183 of 2024. In view of that particular fact, the same sureties as produced by him in Crime No.363 of 2023 may also be accepted by the learned Judicial Magistrate – III, Vellore in this First Information Report in Crime No.368 of 2023 also.

6.Accordingly, the petitioner is ordered to be released on bail on



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executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties as mentioned above, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Vellore, 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 daily at 10.30 a.m., until further orders.

[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].

C.V.KARTHIKEYAN, J.

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

22.01.2024

smv

To

- 1.The Judicial Magistrate No.III, Vellore.
- 2.The Sub Inspector of Police,
Veppankuppam Police Station,
Vellore District.
3. The Central Jail, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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