



Crl.O.P.No.5672 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

CORAM

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

Crl.O.P.No.5672 of 2024

Chinnarasu

...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
Pernampet Police Station,
Vellore District.

(Crime No.393 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.393 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.T.Muruganantham

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



Crl.O.P.No.5672 of 2024

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ORDER

The petitioner/A2 in Crime No.393 of 2023, registered by the respondent police for the offence under Section 25(1)(a) of Arms Act, 1959, seeks bail.

2.In the petition, it had been mentioned that the petitioner was remanded to custody on 14.07.2023. That date is wrong. A memo had therefore been filed stating that the petitioner was actually arrested on 18.02.2024.

3.The memo is recorded. Before issuing order copy, the Registry may correct the date of remand to judicial custody, which is given as 14.07.2023 to 18.02.2024.

4.It is the case of the prosecution that the respondent had recovered two country made guns, one in good condition and another one in damaged condition from the 1st accused.

5.It is stated that the 1st accused had been granted bail earlier.



Crl.O.P.No.5672 of 2024

Taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Judicial Magistrate, Gudiyatham, 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 police everyday 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



Crl.O.P.No.5672 of 2024

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].

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

12.03.2024

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C.V.KARTHIKEYAN. J.

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To

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Crl.O.P.No.5672 of 2024

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1. The Judicial Magistrate, Gudiyatham.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Pernampet Police Station,
Vellore District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5672 of 2024

12.03.2024