



CRL OP(MD). No.1038 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/01/2024

PRESENT

The Hon`ble Mr.Justice **M.DHANDAPANI**

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Velmurugan @ Puli
(Now Remand at District Jail,
Pudukottai.)

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District,
Crime No.672/2023.

... Respondent/ Complainant

For Petitioner : M/s Rameshkumar.S,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.672/2023 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/A2, who was arrested and remanded to judicial custody on 03.12.2023, for the offences punishable under Section 25(1-A) of Arms Act, in Crime No.672 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner possessed a sword and threatened the general public. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is in judicial custody for more than 50 days and hence he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having five previous cases and the co-accused bail application also dismissed by this Court and hence, he strongly opposed to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report.

6.Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Pattukottai, Thanjavur District**, 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 is directed to appear before the respondent police daily at 10.30 a.m until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]*; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-
23/01/2024

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23/01/2024

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, PATTUKOTTAI.
- 4 THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.RAMESH KUMAR, Advocate (SR-900[I] dated 23/01/2024)



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ORDER
IN
CRL OP(MD) No.1038 of 2024
Date :23/01/2024

SS/SAR- /23/01/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023