



CRL OP(MD). No.1192 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.1192 of 2024

Karthick

... Petitioner/ Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Town Police Station,
Pudukkottai District.
In Crime No.5 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.K.G.Arunkumar,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.5 of 2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 09.01.2024 for the offences punishable under Sections 20 r/w.25(1)(a) of Arms Act, in Crime No.5 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner and another accused person were found with deadly sharp edged aruval and abused the public in two wheeler. Hence, the present case was registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offences as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 09.01.2024. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that when the defacto complainant was in patrol duty, the petitioner and other accused were found holding a sharp edged aruval in their hands and threatened the public. Hence, he vehemently opposed to grant bail to the petitioner.



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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.

7. Accordingly, this Criminal Original Petition is ordered and 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 No.I, Pudukkottai 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;



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(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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/01/2024

/ TRUE COPY /

29/01/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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- 1.The Judicial Magistrate No.I,
Pudukkottai District.
 2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.
 - 3.The Officer Incharge,
District Prison, Pudukkottai.
 - 4.The Inspector of Police,
Town Police Station,
Pudukkottai District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.K.G.ARUNKUMAR, Advocate (SR-1109[I] dated 29/01/2024)

ORDER
IN

CRL OP(MD) No.1192 of 2024

Date :29/01/2024

SSA/ /SAR-(29.01.2024) 5P 7C

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