



CRL OP(MD). No.1781 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Rahamathullah

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Manapparai Police Station,
Tiruchirappalli District,
Crime No.560/2023.

... Respondent/Complainant

For Petitioner : Mr.B.Micheal Sebastin, Advocate
for Mr.Subash Chandra Bose.M,
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.560/2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded to judicial



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custody on 28.12.2023 in Crime No.560 of 2023, for the offence punishable under Sections 25(1)(a) of the Arms Act, 1959, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 08.11.2023, at about 06.30 A.M., the accused persons were found in possession of deadly weapons and the respondent Police recovered the same. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody for more than forty days and hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that there are twelve cases pending against the petitioner and hence, he vehemently opposes for grant of bail to the petitioner.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and also considering the fact that there are twelve previous cases pending against the petitioner and the



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offence committed by the petitioner in the said cases are not heinous in nature, this

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Court is inclined to grant bail to the petitioner, subject to the following conditions:

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, Manapparai, Tiruchirappalli 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/-
06/02/2024

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06/02/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE JUDICIAL MAGISTRATE,
MANAPPARAI, TIRUCHIRAPPALLI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TIRUCHIRAPPALLI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER

IN

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Date :06/02/2024

SS/SAR- /06/02/2024/5P/6C

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