



CRL OP(MD). No.2248 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.2248 of 2024

Sathish Kumar,

... Petitioner/ Accused

Vs

The Inspector of Police,
Mathur Police Station,
Pudukkottai District.
Crime No. 22 of 2024.

... Respondent/Complainant

For Petitioner : Mr.M.Subash Chandra Bose,
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. 22 of 2024 on the file of the respondent police.



CRL OP(MD). No.2248 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner / Accused, who was arrested and remanded to judicial custody on 03.02.2024 for the offence punishable under Section 25(1A) and 27(1) of the Arms Act, 1959, in Crime No.22 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner was standing near Thondaimannallur Bus stop with weapon in his hands and threatened the public and thereafter, the respondent Police arrived at the spot and secured the petitioner and registered a case against him.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that though three previous cases are pending against the petitioner, out of which, one case is a murder case and therefore, he vehemently opposed for grant of bail to the petitioner.



CRL OP(MD). No.2248 of 2024

5. Heard the learned counsel on either side.

WEB COPY

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, 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, Keeranur, Pudukottai 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

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.2248 of 2024

investigation or trial;
WEB COPY

(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/-
28/02/2024

/ TRUE COPY /

28/02/2024
Sub-Assistant Registrar (PA-I/AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. The Judicial Magistrate, Keeranur, Pudukottai District

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.2248 of 2024

2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.

3. The Superintendent,
Central Prison, Tiruchirappalli.

4. The Inspector of Police,
Mathur Police Station,
Pudukkottai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.2248 of 2024

Date :28/02/2024

RK/SKN(28/02/2024) 5P / 6C

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