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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.3900 of 2024

Mathan @ Mathankumar,

... Petitioner/Sole Accused

Vs

The State Rep.by
The Inspector of Police,
Vellanur Police Station
Pudukkottai District.
Crime No.56/2024.

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar,
Advocate.

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

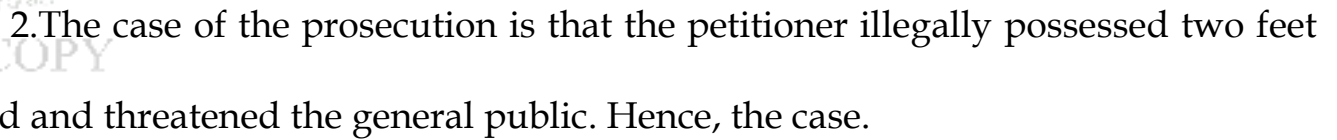
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.56/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 01.03.2024, for the offences punishable under Sections 20 and 25(1)(A) of Arms Act, in Crime No.57 of 2024, on the file of the respondent police, seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that there are four previous cases pending against the petitioner and all those offences are heinous in nature and hence, he vehemently opposed to grant bail to the petitioner.

6. Considering the facts and circumstances of the case and the last case was

registered against the petitioner in the year 2022 and also considering the period of
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incarceration suffered by the petitioner, this court is inclined to grant bail to the



petitioner with certain conditions.

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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.II, Pudukkottai, 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;

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

sd/-
12/03/2024

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12/03/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Judicial Magistrate No.II, Pudukkottai.
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Officer Incharge, District Prison, Pudukkottai.
4. The Inspector of Police,
Vellanur Police Station
Pudukkottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN
CRL OP(MD) No.3900 of 2024
Date :12/03/2024

SSA (12.03.2024) 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.