



CRL OP(MD). No.12361 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12361 of 2024

Ibrahim Kaleel @ Ibrahimkall,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Jaihindpuram Police Station,
Madurai City.
Crime No. 378/2024.

... Respondent/ Complainant

For Petitioner : M/s.Imran Khan J,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 378 of 2024 on the file of the respondent police.



CRL OP(MD). No.12361 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/A2, who was arrested and remanded to judicial custody on 28.07.2024 for the offences punishable under Sections 25(1)(A) of Arms Act, in crime No.378 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant and his team were on patrol duty, they found that the accused persons were in possession of long sword. On enquiry, it came to know that they planned for execution in that locality. For that, they bought lethal weapons from the petitioner. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocents and he has not committed any offence as mentioned in the FIR. He would further submit that the petitioner is in judicial custody from 28.07.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 1 previous case. Hence, he vehemently, opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is



CRL OP(MD). No.12361 of 2024

ordered to be released on bail, on 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.IV, Madurai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police weekly once i.e., every Saturday at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].



CRL OP(MD). No.12361 of 2024

vi) If the accused thereafter abscond, a fresh FIR can be registered under

WEB COPY

Section 229A IPC.

sd/-

01/08/2024

/ TRUE COPY /

01/08/2024

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

DSS

TO

1. The Judicial Magistrate No.IV,
Madurai..
2. Do-Through:
The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent,
Sub Jail,
Theni..
4. The Inspector of Police,
Jaihindpuram Police Station,
Madurai City.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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



CRL OP(MD). No.12361 of 2024

WEB COPY +1 CC to M/s.J.IMRAN KHAN, Advocate (SR-9154[I] dated 01/08/2024)

ORDER
IN
CRL OP(MD) No.12361 of 2024
Date : 01/08/2024

SL(01.08.2024)/ 5P/ 7C

<https://www.madrasbar.org/> Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.