



CRL OP(MD). No.15550 of 2024

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

Date : 13.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15550 of 2024

1. Kanagaraj
2. Saravanan

... Petitioners/ Accused No.3 & 4

Vs

The Inspector of Police,
Periyakulam Police Station,
Theni District.
(Cr.No.185 of 2024.)

... Respondent/Complainant

For Petitioners : Mr.S.Vikram, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.185 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 29.08.2024 for the offences punishable under Sections 25(1)(a) Arms Act, 1959, in crime No.185 of 2024, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioners were in possession of gun for the purpose of hunting the wild animals without a valid license. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegations that the petitioners were in possession of one single barrel gun used for the purpose of hunting which was unlicensed and also considering the fact that the petitioners were in judicial custody from 29.08.2024, and that there are no bad antecedents against the petitioners, I am inclined to enlarge the petitioners on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Periyakulam, Theni District;

(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 petitioners shall report before the respondent police daily at 10.30 a.m.,for a period of four weeks and thereafter as and when required for



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interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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

(iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

(vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
13/09/2024

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13/09/2024
Sub-Assistant Registrar (AD II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

1.The Judicial Magistrate,
Periyakulam, Theni District.



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2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
Periyakulam Police Station,
Theni District.

4.The Officer Incharge,
District Prison, Theni.

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

+1 CC to M/s.S.VIKRAM, Advocate (SR-11296[I] dated 13/09/2024)

ORDER
IN
CRL OP(MD) No.15550 of 2024
Date :13/09/2024

ED/ /SAR- (13/09/2024) 4P / 7C

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