



CRL OP(MD). No.16215 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16215 of 2024

Vinoth,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,,
The Inspector of Police,
Periyakulam Police Station,
Theni.
In Crime No.185 of 2024.

... Respondent/Complainant

For Petitioner : Mr.K.Anandan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

To grant bail to the petitioner in Crime No.185 of 2024 on the file of the respondent police under Section, 25(1) of Arms Act 1959.



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ORDER : The Court made the following order :-

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

2.The case of the prosecution is that the petitioner herein and other accused were found in possession of Gun without any license for the purpose of hunting wild animals. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations that the petitioner was in possession of a single barrel gun for hunting purposes and considering the fact that there are no other bad antecedents against the petitioner and that he is in custody from 29/8/2024, I am inclined to enlarge the petitioner on bail.

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

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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, Theni.

(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 appear before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

(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].



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

sd/-
26/09/2024

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26/09/2024
Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Theni.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Officer in charge District Prison, Theni.
4. The Inspector of Police,
Periyakulam Police Station,
Theni.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.ANANDAN, Advocate (SR-11795[I] dated 26/09/2024)



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ORDER

IN

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Date :26/09/2024

RK (26/09/2024) 5P / 7C

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