



CRL OP(MD). No.16273 of 2024

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

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16273 of 2024

Kevin Alphonse

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
CBCID, OCU, Police Station,
Madurai City.
(Crime No.2/2023).

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulinga Bharathi, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.2 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on
23.08.2024 for the offence punishable under Section 25(1A) of Arms Act @ 25(1B)(f),



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25(1B)(i) and 25(8) of Arms Act , in Crime No.2 of 2023 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the defacto complainant and A1 are members of Rifle Club, Madurai and they have participated in several shooting competition. The defacto complainant came to know that A1 is in possession of imported rifle(Germany) sold by authorised persons and that the above said rifle was illegally purchased abroad and registered in the name of A1 through A2. Hence, the complaint.

3. Heard both sides.

4. Considering the nature of the allegations that the petitioners herein are importers of guns and without getting proper permission for selling they sold the guns to the license holders and considering the fact that the petitioner is in judicial custody from 23.08.2024 and the fact that the guns have been recovered and custodial interrogation of the petitioner is also over, this Court is inclined to grant bail to the petitioner on certain conditions.

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



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(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 daily at 10.30 a.m., for a period of two 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].

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

sd/-
27/09/2024

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27/09/2024
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



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To

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1.The Judicial Magistrate No.IV,
Madurai.

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

3.The Inspector of Police,
CBCID, OCU Police Station,
Madurai City.

4.The Superintendent,
Central Prison, Madurai,
Madurai District.

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-11880[I] dated
27/09/2024)

ORDER

IN

CRL OP(MD) No.16273 of 2024

Date :27/09/2024

ED/ /SAR- (27/09/2024) 4P / 7C

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