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Crl.O.P.No. 67 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 09.12.2022 for the offences under **Sections 25(1-A) and 25(1B) (a) of Arms Act**, in Crime No.562 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the relative of Managing Director of M/s. Arudhra Gold Trading Company Pvt. Ltd., which the company cheated so many investors and swindled their money. During search of the petitioner's house by the Inspector of Police, Economic Offence Wing, the Village Administrative Officers of Adambakkam and Palavannthangal, one Ramachandran, who is father-in-law of house owner Natarajan and one Dhivan Moideen, who is one of tenant in the said house were also present, thereby it came to know that the petitioner was found in possession of one walther 9 mm and 19 pistol and magazine with bullets inside the bureau in bed room and found illegal possession of unlicensed pistol. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that without any search warrant, the defacto complainant entered into his house and seized valuable things and took him illegally without informing any of his relatives and friends. Hence, petitioner's father lodged a complaint to higher officials that his son was illegally detained by the respondent police. To take revenge against the petitioner, the present false complaint has been lodged as if he is in illegal possession of gun/pistol. Furthermore, they have not followed the procedure contemplated under Sec.100 of Cr.P.C. He would submit that he is an innocent person and he has not at all committed any offence as alleged by the respondent police. He would submit that he is no way connected with the occurrence and he will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 09.12.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is the sole accused and the defacto complainant is Inspector of Police, Economic Offences Wing and



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during search of petitioner's house, he found Walther 9 mm and 19 pistol, in which detailed investigation is required in this case. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is not yet completed and so far, expert opinion was not obtained. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and also considering the fact that during search of petitioner's house, they found illegal possession of pistol, in which, expert opinion so far not obtained and a detailed investigation is also required in this case and also the fact that if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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