



Crl.O.P.No.15814 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 25(1)(a) of Arms Act in Crime No.381 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioners are falsely implicated in this case. Apprehending arrest in Crime No.381 of 2023 registered for the offences under Sections 25(1)(a) of Arms Act, this petition is filed by the petitioners.

3. In response, learned Additional Public Prosecutor (Puducherry) submitted that on 20.06.2023, at about 16.00 hrs, on secret information that some persons were possessing country made guns, the police party went in search of the accused. They found the accused Johnpeter @ Padaiyappa and Chinnanandu @ Kuzhanthairaj near the land of one Natarajan with country made guns, whose names police came to know later. On seeing the police, they ran and the police found them dropping two SBML single barrel country made gun each measuring 154 cms and 159 cms in



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length.

4. When it was questioned whether the statement of witnesses who identified the accused are recorded, learned Government Advocate (Crl.side) on instructions from Mr.Ravi, SSI, informed that so far statement of witnesses who identified the accused were not recorded. Thus, it is obvious that petitioners are implicated as accused only on suspicion.

5. In the said circumstances, this Court is of the view that custodial interrogation of the petitioners is not necessary and inclined to grant anticipatory bail to the petitioners. Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court Thirukoilur**, on condition that the each of the petitioners shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand



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dismissed and on further condition that:

[a] the Petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.00 a.m. and 5.00 p.m., until further orders.

[c] the Petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the Petitioners shall not abscond either during investigation or trial.

[e] 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].



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[f] If the accused thereafter absconds, a
fresh FIR can be registered under Section 229A IPC.

20.07.2023

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