



Crl.O.P.No.24070 of 2023

C.V.KARTHIKEYAN, J.

The petitioner seeks bail in Crime No.435 of 2023 registered by the respondent police for the offences punishable under Sections 120(B), 147, 148, 341, 294(b), 324 & 307 of IPC r/w Section 25(1B)(a) & 27(1) of Arms Act r/w Section 3(1) of TNPPDL Act, and the petitioner had been arrested and remanded to judicial custody on 09.09.2023.

2. It is stated by the learned counsel for the petitioner that the petitioner's name is not found in the FIR and that he is only a friend of one of the accused. He further stated that the petitioner is not directly involved in the said offence. However, it is stated on behalf of the respondent that the weapon, which was used to commit the offence under Section 307 IPC was a gun and that was kept in the house of the petitioner herein and therefore, it is stated that the petitioner had knowledge about the weapon, and that it would be used for some offence.

3. If the petitioner proclaims innocence as he does so today, he should have disclosed the presence of that weapon to the authorities. The



possession of the same, particularly when it was actually used for the offence, it clearly points out to the culpability of the petitioner herein.

4. The learned counsel for the petitioner stated that he is a co-worker of one of the accused and he is an Engineering graduate but all those facts cannot over ride the fact that the gun was kept in the safe house of the petitioner and the same was used to commit the offence under Section 307 IPC.

5. It is stated by the learned counsel for the respondent that the gun was recovered on the next day and the gun will have to put for forensic test to find out whether that was the gun from which the bullet had been fired and if it is so found, then it would also mean that the petitioner was found in possession of the gun, which was used for the offence.

6. It is also seen that three accused had been detained under Act 14 of 1982.



7. Let the investigation proceeds and the gun will have to be examined and further investigation has to be done. At this stage, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

18.10.2023

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