



Crl.O.P.No.26967 of 2023

Crl.O.P.No.26967 of 2023

C.V.KARTHIKEYAN,J.

The petitioner/A3 seeks anticipatory bail in Crime No.255 of 2023, registered by the respondent police for the offences punishable under Section 25(1B)(a) of Arms Act, 1959.

2.It is stated that A1 and petitioner/A3 were in possession of country gun and when they saw the police officials they dropped the gun and fled away from the place. Based on the confession statement of A1 the petitioner had been arrayed as accused.

3.It is stated that A1 had been arrested and granted bail.

4.In the counter affidavit, it had been stated that quite apart from the country gun, small pellets were also recovered. However, taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a



Crl.O.P.No.26967 of 2023

period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.1, Salem**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



Crl.O.P.No.26967 of 2023

himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

11.12.2023

ata

C.V.KARTHIKEYAN,J.



WEB COPY



Crl.O.P.No.26967 of 2023

ata

Crl.O.P.No.26967 of 2023

11.12.2023