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Crl.O.P.No.9145 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehend arrest for the alleged offence under Sections 25 (1B) (a) of Arms Act 1959 and Section 9 (B) (1) (b) of the Indian Explosives act, 1884, in Crime No. 32 **of 2024** on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that Village Administrative Officer, found a person along with the possession of 4 country bullets and on further enquiry he stated that he purchased the said country bullet from one Suneer belongs to kerala for one of his friend Sasikumar, who is residing in the same village. Based on the enquiry, the respondent police arrested the said Mani and Sasikumar and seized country gun from Sasikumar residence. Based on the confession statement of the said persons one Suneer was implicated in the alleged offence. Based on the above said special report the case was registered by the respondent police in the above crime No. 32 of 2024 against three persons. Hence, the case.



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3. The learned counsel appearing for the petitioners submits that the petitioner is innocent person he was falsely implicated in this case. Learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government advocate (Crl. side) submits that based on the confession the petitioner was implicated in this case for illegal possession of arms. Further, he stated that there is no previous case against the petitioner.

5. Considering the facts and circumstances of the case and also the fact that investigation is almost completed and also there is no previous case pending against the petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the 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 of receipt of a copy of this order, before the Judicial Magistrate, Bandalur, Nilgris District, on condition that the petitioner shall



execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**

each, 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 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 stay Nilgiris District and report before the respondent police daily at 10.30 a.m., until further orders.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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



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]**.

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

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