



Crl.O.P.No.13840 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 25(1)(a), 25(1)(b), of Arms Act, 1959 in Crime No.88 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on 02.05.2024, the defacto complainant made inspection near erukkampattu Village, the petitioner was found in possession of country made gun, while seeing the respondent police the petitioner escaped from the place. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that he has not committed any offence and he is no way connected in this case but also added as a party in this case. He is a law abiding citizen and he undertakes to abide by any condition that may be imposed by this Court. Hence he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioner. There was no recovery from the petitioner, the said country made gun was found near the petitioner's house.



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5. Heard the learned counsel for the petitioner, and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sankarapuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 the petitioner, 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 Court concerned may obtain a copy of their



Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Registered Advocates Clerks Association, Kallakurichi, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

(c) the petitioner shall appear before the respondent police on every Saturday at 10.30 a.m. for a period of eight weeks;

(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 petitioner in accordance with law as if the conditions have been imposed and the



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*petitioner released on bail by the learned Magistrate/trial
Judge himself as laid down by the Hon'ble Supreme Court
in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560];
and;*

*(g) if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC.*

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