



Crl.OP.No.19653 of 2024

Crl.O.P.No.19653 of 2024

P.DHANABAL, J.

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 25(1A) of Arms Act, 1959 in Cr.No.519 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were in possession of country made gun in Kalleri Village. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that they are no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the petitioners were found in possession of country made gun in the Kalleri Village. He would submit that no previous case is pending as against the petitioners. However, he vehemently opposed to grant



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anticipatory bail to the petitioners.

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5.Considering the representations made on either side and the charges levelled against the petitioners and also the fact that the petitioners have no previous case, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following 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 on which the order copy made ready, before the learned Judicial Magistrate, Gudiyatham on condition that the petitioners shall execute a separate 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 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 petitioners and the sureties shall affix their photographs



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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 daily at 10.30 a.m. for a period of 30 days and thereafter, as and when required for interrogation.

[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 petitioner 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

16.08.2024

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