



WEB COPY



Crl.O.P.No.29 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29 of 2025

Karthik

... Petitioner

Vs.

State rep. by the Inspector of Police,
N-2, Kasimedu Police Station,
Chennai 600 013. (Crime No. 626/2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner in Crime No. 626
of 2024 on the file of the respondent.

For Petitioner : Mr.P. Pugalenthir

For Respondent : Mr.Leonard Arul Joseph Selvam
learned Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No. 626 o 2024 registered for
the offences punishable under Section 25(1)(B)(a) of Arms Act, 1959 is on board
for consideration.

2.The incarceration of the petitioner being from 12.11.2024 pleading
innocence on the part of the petitioner and false implication in the case, learned
counsel for the petitioner seeks indulgence of this Court. He also submits that the
petitioner is not the person who handed over the pistol, and that he has been



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implicated in this case solely because he happens to be a co-accused. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that A1 in this case, at the time of his surrender before the XIV Metropolitan Magistrate, Egmore, Chennai to recall NBW, had handed over a gun along with four bullets to his advocate and asked him to handover the same to the police through de facto complainant and based on the confession statement of A1, this petitioner was impleaded as accused in this case. He further submits that there are fifteen previous cases against the petitioner.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned XVI Metropolitan Magistrate, George Town, Chennai and on further conditions



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that:

[a] 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 learned XVI Metropolitan Magistrate, George Town, Chennai, on all working days at 10.30 p.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 of B.N.S.

06.01.2025

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A.D.JAGADISH CHANDIRA, J.
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To

1. The XVI Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai 600 013.
3. The Superintendent,
Central Prison -2, Puzhal,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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