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CRL OP NO. 98 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 98 of 2025

Jaiganesh

petitioner(s)

Vs

The Inspector Of Police,
Kariyalur Police Station,
Kallakuruchi District.

Respondent(s)

For petitioner(s):

S.Ramesh

For Respondent(s):

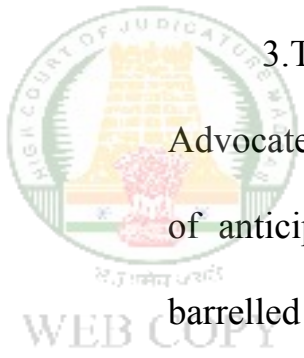
S.Santhosh

Government Advocate (criminal Side).

ORDER

Apprehending arrest in connection with Crime No.234 of 2024, registered for the offences punishable under Section 25(1B) (a) of ARMS Act, 1959, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioner, false implication in this case, learned counsel for the petitioner seeks indulgence of this court. He would submit that he is innocent and no way connected with this case. He would further submit that he is ready to abide by any stringent condition that may be imposed by this Court. The learned counsel for the petitioner would submit that the gun was left by his grand father and the petitioner being an illiterate, has not applied for the license and he has no bad antecedents.



3.The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner was found in possession of single barrelled country made gun (SBML), without valid license.

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, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered 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.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day at

06.30 p.m., until further orders;

<https://www.mhc.tn.gov.in/judis>

[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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

20-01-2025

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To

- 1.The Judicial Magistrate, Sankarapuram.
- 2.The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
- 3.The Public Prosecutor, High Court, Madras.



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