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CRL OP NO. 2662 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2662 of 2025

1.J.Nickalson
2.Karthik Kumar
3.K.Thangaraj
4.Manikandan

Petitioners

Vs

The State Rep By, The Sub Inspector Of
Police,
Deevattipatti Police Station, Salem.
Cr.No.12/2025.

Respondent(s)

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For petitioners:

R Vivekananthan

For Respondent(s):

Mr.S.balaji, Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 25(1) of the Arms Act,1959, in Crime No.12 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that during regular patrol, the petitioners



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were found in possession of deadly weapons. Hence, the case.

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3. The learned counsel for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; the petitioner (s) are ready to abide by the conditions imposed by this Court and that the co-accused were arrested and released on bail, they may be released on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners along with the other accused persons were found in possession of deadly weapons and the properties were seized and hence, opposed for grant of anticipatory bail.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Considering the submissions made on either side and also nature of allegation, the fact that the co-accused was arrested and released on bail, weapons were recovered and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail



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to the petitioners subject to the following conditions:

(a) 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, Omalur** on condition that the petitioners 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 or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police every day at 10:30 a.m., until further orders;

[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

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petitioners in accordance with law as if the conditions have been imposed



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and the petitioners 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 BNS.

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To
1. The State Rep By, The Sub Inspector Of Police,
Deevattipatti Police Station, Salem.
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