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Crl.O.P.No.5254 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

Crl.O.P.No.5254 of 2025

Bagathsing

...Petitioner/Accused

Vs.

The Sub Inspector of Police
Nemili Police Station
Nemili Taluk
Ranipet District
(Cr.No.88 of 2025)

...Respondent/Complainant

Criminal Original Petition filed under Section 438 of Cr.P.C./482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in the above Crime No.88 of 2025, pending on the file of the respondent police.

For Petitioner : Mr. S. Saravana Kumar

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7(1)(a), CLA Act r/w 25(1A) of Arms Act, 1959, in Crime No.88 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A-4 along with three



others, had created panic to the public by showing deadly weapons and thus, committed the offence.

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3. The learned counsel for the petitioner would submit that the allegations against the petitioner are false. He would further submit that the co-accused viz., A1 to A3 were arrested and they are in custody. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted that the petitioner had four previous cases for the similar offence. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of the offence committed; that the co-accused were arrested and the weapons were seized; and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.II, Arakkonam**, 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 or to the satisfaction of the said Magistrate, on further condition that:

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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.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* reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

27.02.2025

gya



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SUNDER MOHAN, J.
gya

To

1.The Judicial Magistrate, No.II
Arakkonam, Ranipet District

2.The Sub Inspector of Police
Nemili Police Station
Nemili Taluk
Ranipet District

3.The Public Prosecutor
High Court of Madras

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