



WEB COPY



Cr1.O.P.No.5678 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Cr1.O.P.No.5678 of 2025

Kumar

... Petitioner

Vs.

The Inspector of Police,
Kariyalur Police Station,
Kariyalur, Kallakurichi District.
(Crime No.52 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioner on bail in Crime No.52 of 2025, on the file of the respondent police.

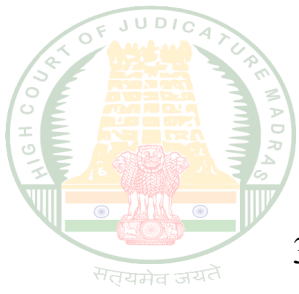
For Petitioner : Mr.R.Prabudoss

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Cr1.Side)

ORDER

This Criminal Original Petition has been filed by the Petitioner, who was arrested and remanded to judicial custody on 18.02.2025, seeking bail in Crime No.52 of 2025 registered for the offence under Sections 25(1B)(a), 25(1)(a) Arms Act.

2.The case of the prosecution is that the Petitioner was found to be in possession of two country made gun without valid license.



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3.Learned counsel appearing for the Petitioner submitted that the Petitioner is an innocent person and he has been falsely implicated in this case.

He also submitted that the Petitioner is in custody from 18.02.2025 and he is ready to abide by any stringent condition that may be imposed by this Court.

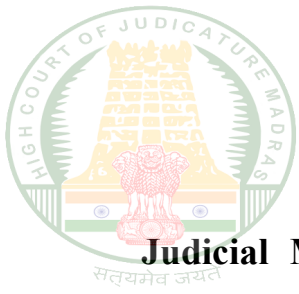
Hence, he prayed for grant of bail to the Petitioner .

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the Petitioner, reiterated the case of the prosecution. He further submitted that the Petitioner has no previous case against him.

5.Heard the learned counsel appearing for the Petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available.

6.Considering the nature of allegations, period of incarceration, the weapon has been seized in this case and the fact that the Petitioner has no bad antecedents and since further custody is not required for the purpose of interrogation, this Court is inclined to grant bail to the Petitioner with certain conditions.

7.Accordingly, the Petitioner are ordered to be released on bail on their executing a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, with two sureties, for a like sum to the satisfaction of the learned



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Judicial Magistrate, Sankarapuram, Kallakurichi District, and on further

conditions 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 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 [(2005)AIR SCW 5560];
- [f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S

03.03.2025

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To

1.The Judicial Magistrate,
Sankarapuram, Kallakurichi District.

2.The Inspector of Police,
Kariyalur Police Station,
Kariyalur, Kallakurichi District.

3.The Superintendent,
Central Prison, Cuddalore District.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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