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Crl.OP.No.8410 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.8410 of 2025

Annamalai ... Petitioner(s) /Accused

Vs.

The State rep. by
Inspector of Police,
Kariyakoil Police Station,
Salem District.
Crime No.14 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioner in event of his arrest in Crime No.14 of 2025 pending on the file of the respondent police.

For petitioner(s) : Mr.B.Sundarapandiyan

For Respondent(s) : Mr.S.Santhosh,



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Government Advocate (Crl.Side)

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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 25(1)(a) of the Arms Act, 1959 and Section 125(b) of the BNS, 2023, in Crime No.14 of 2025, seeks anticipatory bail.

2. It is the case of the prosecution that the first accused invited the defacto complainant for hunting; that the first accused used a country-made gun, which accidentally misfired and injured the defacto complainant; and that based on the hospital's intimation and the defacto complainant's statement, a case was registered.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that no major injuries were sustained by the defacto complainant; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

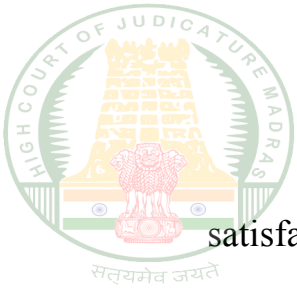


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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the injured has been discharged from the hospital and that the petitioner has no bad antecedents.

5. Considering the nature of allegations; the fact that the injured has been discharged from the hospital; and since 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 days from the date on which the order copy is made ready, before the learned **Metropolitan Magistrate No.1, Attur, Salem District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.

[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



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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 BNS.

21.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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1. Inspector of Police, Kariyakoil Police Station, Salem District.
2. The Public Prosecutor, Madras High Court, Chennai.
3. Metropolitan Magistrate No.1, Attur, Salem District.

SUNDER MOHAN, J.

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