



Crl.O.P.No.16659 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16659 of 2025

1.Ramaraj
2.Manikkam

... Petitioners

Vs.

The Inspector of Police
Kariyalur Police Station
Kallakurichi
Crime No. 100 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail in Crime No. 100 of 2025 pending investigation on the file of the Inspector of Police, Kariyalur police station, Kallakurichi.

For Petitioner : Mr.P.Praveen

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 07.05.2025, for the offence punishable under Sections 25(1B)(a), 25(1)(a) of Arms Act, 1959 in connection with Crime No. 100 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that when the respondent police was patrolling in the forest area near Keelnilavur, they found that the petitioners along with other accused were illegally cutting down trees and attempting to transport the log. It is alleged in the FIR that they also possessed weapons including country made gun without any valid license. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, however, they are suffering incarceration from 07.05.2025. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the petitioners/A2 and A3 were arrested on 07.05.2025 and two country made guns were recovered from each of the petitioners. He also submitted that A1 in this case has been granted bail by this Court.

5. The contention of the petitioners is that petitioners are owning lands and are carrying out agricultural activities adjacent to the forest area. In order to scare them away, it has been projected that the petitioners are making preparations for hunting in the forest area.

6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 learned



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Judicial Magistrate, Sankarapuram, Kallakurichi and on further conditions

that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed 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)13 SCC 283]**;



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

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Sankarapuram, Kallakurichi
2. The Inspector of Police
Kariyalur Police Station
Kallakurichi
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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M.NIRMAL KUMAR, J.

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