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Crl.O.P.No.24332 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **04.09.2025**

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24332 of 2025

1. Mani

2. Siva

... Petitioners

-VS-

State of Tamilnadu represented by
The Inspector of Police,
Melpatti Police Station,
Vellore District.
(Crime No.111 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.111 of 2025 on the file of respondent police.

For Petitioners : Mr.T.Muruganantham

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.08.2025, for the alleged offence punishable under Section 25(1)(a) of Arms Act, 1959 in Crime No.111 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that defacto complainant is the Sub Inspector of Police one Murugavel. Upon specific information, the defacto complainant made search and found the petitioners in possession of two countries made Gun without valid licence. Hence, the complaint.

3. The learned counsel for the petitioner states that these petitioners are residing in a village near forest area for self protection they procured to country gun. So the reasoning for possession of country gun is not justifiable.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that these petitioners are in prison for the past 15



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days and the arms already been recorded for them before committing any other offence.

5. Considering the said facts and circumstances, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham**, 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 daily until further orders;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



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to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

04.09.2025

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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.



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To

- 1.The Judicial Magistrate, Gudiyatham.
- 2.The Inspector of Police,
Melpatti Police Station,
Vellore District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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