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Crl.O.P.No.25759 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25759 of 2025

Selvam

... Petitioner/A4

Vs.

The State rep. by
The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
(Crime No.100 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime
No.100 of 2025 pending on the file of the Respondent police.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
15.08.2025, for the offences punishable under Sections 25(1B)(a) and
25(1)(a) of Arms Act, 1959, in connection with Crime No.100 of 2025, on
the file of the respondent, seeks bail.



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2.The case of the prosecution is that the petitioner along with other accused were illegally cut down the trees and attempted to transport the same. They also found in illegal possession of country made gun without any valid license. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused/A1 to A3 were already granted bail by this Court in Crl.O.P.No.16225 of 2025 and Crl.O.P.No.16659 of 2025 on 09.06.2025 and 10.06.2025, respectively. He also submitted that the petitioner 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.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was found in illegal possession of country made gun. He fairly submitted that the co-accused/A1 to A3 were already granted bail by this Court in



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Crl.O.P.No.16225 of 2025 and Crl.O.P.No.16659 of 2025 on 09.06.2025 and 10.06.2025, respectively.

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

6. Considering the nature of allegations, the period of incarceration undergone by the petitioner and the fact that co-accused were already granted bail by this Court, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Judicial Magistrate, Sankarapuram, Kallakurichi District**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [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



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their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks, thereafter as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner 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.

19.09.2025

rsi



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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 District.
- 2.The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
- 3.The Superintendent,
Central Prison,
Villupuram.
- 4.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

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