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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.32529 of 2025

Murugesan

... Petitioner

Vs.

State Rep. by the Inspector of Police,
Kariyakoil Police Station,
Salem District.
(Crime No.38 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita of BNS, to enlarge the petitioner on bail in Crime
No.38 of 2025 on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner, who was apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 25(1)(a) of
Arms Act in Crime No.38 of 2025, seek anticipatory bail.



2. The case of the prosecution is that the petitioner was found in possession of a country-made gun in his farm. Hence, the case.

3. The learned counsel for the petitioner submitted that the country-made gun was used only for protecting the crops, as the petitioner's land is situated adjacent to the forest area. It is further submitted that the gun has already been recovered and that custodial interrogation of the petitioner is not necessary. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl Side) submitted that the petitioner was found in possession of country-made gun and the same was seized, and that the investigation is still pending in progress. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by learned counsels on either side, and taking into account that the property has already been recovered from the petitioner and that the petitioner has no previous case, this Court is inclined to grant bail to the petitioner with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Attur**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his 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;

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



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K.RAJASEKAR, J.

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[d] 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]**;

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

27.11.2025

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To

1. The Judicial Magistrate No.I, Attur.
2. The Inspector of Police,
Kariyakoil Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.32529 of 2025