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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No2851 of 2025

Dinesh Kumar

... Petitioner

Vs

The State of Tamil Nadu Rep by
The Inspector of Police,
CBCID, Madurai City
Crime No.2 of 2023

...Respondent

For Petitioner : Mr.Ma.Gowthaman
for R.Krishnakumar

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.2 of 2023 on the file of the respondent police.



ORDER: The Court made the following order :-

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The petitioner/ Accused, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 25(1A) @25(1B)(f), 25(1B)(i) and 25(8) of Arms Act in Crime No.2 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 was in possession of imported rifle (Germany) sold by anauthorized person and the above said rifle was illegally purchased from abroad and registered in the name of A1 through A2. On investigation it revealed that this petitioner also involved in sale of some of the said rifle. Hence this case.

3. The learned counsel appearing for the petitioner would submit that initially Thirumangalam Town Police registered a case in Crime No. 516 of 2023 against the petitioner for the offences under Sections 25(1A) of Arms Act and subsequently the case was transferred to the file of CBCID and First Information Report has been registered in Crime No. 2 of 2023 for the offences under Sections 25(1B)(f), 25(1B)(i) and 25(8) of Arms Act. Infact the father of the petitioner was issued with license for arms and ammunition dealer as per the Rule 73(3) of Arms Act as per the proceedings of the District Collector dated 30.01.2020 for the period from 01.01.2019 to 31.12.2023 and till date it is valid. The father of the petitioner was arrested and



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released on bail. Thereafter the same was cancelled on the ground that he involved in another criminal case. While so, on 05.04.2024 a case in Crime No. 102 of 2024 was registered by Elayankudi Police Station for the offences under Sections 29, 29(a) and (b) of Arms Act against one Ijas Ahamed and the petitioner and the said case was also transferred to CBCID. This petitioner was arrayed as an accused in Crime No. 102 of 2024 on the file of the Elayankudi Police Station while so the present case in Crime No. 2 of 2023 was registered only to harass the petitioner and for illegal detention. The petitioner was arrested and taken to judicial custody on 06.04.2024 by the Elayankudi Police and the petitioner was also granted bail by the Principal District Court in Cr.M.P. No.1353 of 2024. This petitioner has been falsely implicated in this case and he is innocent and he is no way connected with the said offence and the petitioner is ready to abide by any conditions imposed by this Court.

4. The learned Government Advocate (Crl. Side) would submit that A1 was in possession of imported rifle (Germany) sold by an authorized person and the above said rifle was illegally purchased from abroad and registered in the name of A1 through A2 and further some of the weapons have been recovered from this petitioner. More over 45 weapons have been sold by this petitioner and same was also recovered. Further the petitioner is also having some previous cases. Hence, he strongly opposed to grant anticipatory bail to the petitioners.



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

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6. Considering the rival submissions made on either side and the nature of offences charged against the petitioner and further during investigation the investigation officer also found that more than 45 weapons involved in the crime and they have not been sold only in Tamil Nadu but in other States of India and also the fact the they have been sold the weapons without any license and the investigation in this case is not yet completed, hence this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

7. Hence the petition stands dismissed.

sd/-
24/04/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Inspector of Police,
CBCID, Madurai City
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

CRL OP(MD) No.2851 of 2025

Date :24/04/2025

PP/19.05.2025 5P/3C

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