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CRL OP No. 297 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 297 of 2026

Kotteeshwaran

Petitioner

Vs

The State rep.by, Inspector of Police
Thoppur Police Station, Dharmapuri
district. Cr.No.315/2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS to order enlarge the petitioner on bail on the event of arrest in Cr.No.315 of 2025 on the file of the respondent police.

For Petitioner(s): M/s.C.Deepak Kumar

For Respondent(s): Ms.J.R.Archana, GA (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 325 and 25(1B)(a) of ARMS Act, 1959 in connection with the Cr.No.315 of 2025, seeks anticipatory bail.



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2. The allegations against the petitioner is that on 23.12.2025, a dog belonging to one Nallathambi was found dead. Upon investigation, the VAO of the Kammampatti Village found that the petitioner, who is the son of Nallathambi, using country gun shot the dog. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, and he has been falsely implicated in this case by the respondent police and ready to abide by any stringent condition that may be imposed by this Court and prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and on instructions, submitted that the respondent police recovered the country gun and the petitioner has one previous case pending against him under the SC and ST Act and the investigation in this case is still pending and opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the submissions made by the learned counsel appearing on



either side, the weapon was recovered from the accused and the custodial interrogation of the petitioner is not necessary, I am inclined to grant anticipatory 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 II, Dharmapuri, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

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

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law



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as if the 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)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

09-01-2026

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To

- 1.The Inspector of Police
Thoppur Police Station, Dharmapuri
district.
2. The Judicial Magistrate-II,
Dharmapuri.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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