



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.35133 of 2025

Gopi

.....Petitioner

Vs

State Rep by: Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District..
Crime No.287 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.287 of 2025 on the file of the respondent police.

For Petitioner: Mr.E. Kannadasan

For Respondent: Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.11.2025 for the alleged offence punishable under Section 25(1-B) (a) of Arms Act in Crime No.287 of 2025, on the file of the respondent police, seeks bail.

Page 1 of 6



2. The case of the prosecution is that the petitioner was found in possession of two country made guns without valid licence. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that he is in judicial custody since 25.11.2025. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the country made gun was recovered from the petitioner and there is no previous case pending against him. However, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side, the fact that petitioner is in judicial custody from 25.11.2025, and the fact that the country made gun was recovered from the petitioner and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on



WEB COPY

her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, 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 surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] 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.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness 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 petitioner in accordance with law as if the 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)AIR SCW 5560];

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

05.01.2026

smn

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

WEB COPY

1. The *learned Judicial Magistrate, Gudiyatham*

2. The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District..

3. The Superintendent,
Sub Jail, Gudiyatham

4. The Public Prosecutor,
High Court, Madras.



WEB COPY



K.RAJASEKAR, J.,

smn

CRL OP NO.35133 of 2025

05.01.2026