

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

Dated this the 21st day of May 2024

Crl.M.P. No.94/2024 in

Crl.M.P.No.39/2024

CNR.No.TNTH00-000145-2024

Karthick

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Bodi Town P.S. in

Cr.No.130/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. S. Rakesh Harshan, Learned Counsel for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following:

ORDER

This petition has been filed by the petitioner/accused U/s.439 of Code of Criminal Procedure seeking bail.

2. The Nitty-Gritty of the prosecution case is as follows:

On 22.04.2024 at 9.30 a.m., when the police party was watching suspicious movement in the area of Kottakudi river bridge, the accused carried with him a gun without license. On investigation it is revealed that the petitioner used to hunt wild animals with the gun. Therefore case registered against the petitioner U/s.25 (1B) (a) of Arms Act.

3. Heard both sides.

4. The points for determination is that can bail be granted to the petitioner?

..2..

Answer :

5. The FIR and reply given by the police are perused. The FIR prima facie shows that the petitioner is found with carrying gun for which he has no license further it reveals that the petitioner used to hunt wild animals with the gun. The prosecution submitted that the investigation is still pending and if released on bail, he would abscond. Since the investigation is pending, it is premature to release the petitioner on bail and no change of circumstances made out after dismissing the earlier bail petition. So the petition is liable to be dismissed.

In fine, the petition is dismissed.

Pronounced by me in open Court on this the 21st day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Bodinayakkanur.