

Thursday the 6th day of August 2026.

CNR No.TNRP 050000992026

Complainant The Inspector of Police, Arakkonam Town Police
Station in Cr.No.664/2025

CASE SUMMARY

Sl. No.	CASE SUMMARY			
1	The period of remand of the accused	A1 Sureshkumar	Remanded on 22.10.2025 and released on bail on 12.01.2026 as per the order of the Hon'ble Principal District Judge, Ranipet in Cr.M.P.No.36/2026 dated: 09.01.2026.	In Bail
		A2 Daniel	Remanded on 22.10.2025 and released on bail on 14.11.2025 as per the order of the Hon'ble Principal District Judge, Ranipet in Cr.M.P.No.1558/2025 dated: 13.11.2025.	

ii	Date of filing of the com/final report in the court	Filing of complaint	Final report taken on file by Judicial Magistrate No.I, Arakkonam on 12.01.2026.		
iii	Date of committal to the court of sessions	The Judicial Magistrate No.I, Arakkonam on 24.02.2026.			
iv	Date of questioning of the accused u/s 228, 240, 246 and 251 of the code of criminal procedure 1973 as the case may be	Charge against the accused framed on 15.04.2026.			
v	Filing of all mis.petitions and their results including the results on challenge before superior courts except routine petitions like petitions u/s 317 of Cr.P.C.	----			
vi.Date of examination in chief and cross		Name of the examination	Name of the witness	Date of Chief	Date of cross
		PW1	Tr.Divakar Gr I Constable	01.06.2026	01.06.2026
		PW2	Tr.Sathyanarayanan Gr.I constable	01.06.2026	01.06.2026
		PW3	Tr.Gopi S.I of police	01.07.2026	01.07.2026
		PW4	Tr.Asokan, Inspector of Police	30.07.2026	30.07.2026

vii	Details of the examination of the accused u/s 313(1) of Cr.P.C.	Questioned on 05.08.2026.
viii	Details of absconder of an accused and their appearance/production, as the case may be and	NIL
ix	Grant of stay by superior courts and the results thereof	NIL
Charges framed on accused		Accused 1 and 2 have committed the offences u/s 296(b), 132, 351(3) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act.
Accused pleaded guilty or not		Pleaded not guilty
Decision of the court		The accused A1 and A2 are found not guilty for the offence u/s 296(b), 132, 351(3) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act.
Sentence or order		In the result, the accused A1 and A2 are acquitted u/s 235(1) of Cr.P.C. The case property in C.P.No.5/2026 which was marked as M.O.1 is ordered to be destroyed after the expiry of the Appeal time. The Bail bond executed by the accused A1 and A2 shall stand cancelled.
Additional Public Prosecutor		Thiru.R.P.Victor
Advocate for the accused		Thiru.M.Padmanaban & A.Dinesh

This sessions case was originally taken on file as S.C.No.32/2026 on 10.03.2026 by the Hon'ble Principal District Judge, Ranipet and the same was

made over to this court as per proceedings of the Hon'ble Principal District Judge, Ranipet in Dis.No.1486/2026 dated: 12.03.2026 and the same was taken on file by this court on 18.03.2026 and the sessions case came up before me on 05.08.2026 for final hearing in the presence of Thiru.R.P.Victor Learned Additional Public Prosecutor for the state and Thiru.M.Padmanaban & A.Dinesh Learned Advocate for the accused and after hearing the arguments of both sides, upon perusing the entire case records and having stood over for consideration till this day, this court delivered the following

JUDGMENT

1. The accused stands committed to sessions for taking their trial for the offences u/s 296(b), 132, 351(3) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act.

2. The case of the prosecution is that on 21.10.2025 at about 2.00 P.M when the Inspector of police namely Asokan and two more police constables were involved in prohibition of offences and the Narcotic Drugs upon receiving a secret information they proceeded to Arakkonam-Tiruvallur road near Arakkonam Mandram at that time the accused were threatening the general public by keeping a knife in their hands stating that "நாங்க ரவுடிங்க எங்களுக்கு இப்ப குடிக்க பணம் கொடுக்கலையன்னா போட்டு தள்ளிவிடுவோம்" thereby the accused have created nuisance in the public place hence the accused committed the offence punishable u/s 7(1)(a) of Criminal Law Amendment Act r/w 25(1-A) of Arms Act. Further when the police officials arrested the accused and went to the police station at that time the accused A1 and A2 abusing them in filthy

languages and threatened them with dire consequences "ங்கோத்தா தேவடியா பசங்களே எங்களை ரிமாண்டு பண்ணிங்கன்னா வெளியே வந்த பிறகு உங்களை காலி செய்து விடுவோம்" thereby the accused have committed the offence u/s 296(b), 132 and 351(2) of BNS Act.

3. The accused appeared before the Judicial Magistrate Court No.I, Arakkonam on 24th day of February 2026. The copies of material records were furnished to the accused at free of cost U/s 207 of Cr.P.C., by the Judicial Magistrate No.I, Arakkonam since the offence under Section 25(1-A) of Arms Act is exclusively triable by a Court of Sessions, the entire case records were committed to the Hon'ble Principal District and Sessions Court, Ranipet U/s 209(a) of Cr.P.C. Subsequently it has been transferred to this court for enquiry.

4. After hearing the Learned Additional Public Prosecutor and the Counsel for the defense, charges were framed against the accused u/s 296(b), 132, 351(2) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act read over and explained to them in Tamil and he pleaded not guilty and claimed to be tried.

5. To prove the prosecution case, the prosecution has examined 4 witnesses. Ex.P1 to Ex.P8 were marked through them and M.O.1 is exhibited.

6. The case of the prosecution spoken by the prosecution witnesses is briefly as follows:

(i) P.W.1 Thiru.Divakar Grade-I Constable of Arakkonam Town Police Station has deposed that on 21.10.2025 while he was engaged in patrol duty at about 2.00 P.M along with Sub-Inspector of Police, Tr.Gopi upon receiving a confidential information they went to Ambedkar Nagar, Ambedkar Mandram at that time two persons were threatening the passers by keeping a knife in their hands and told that they are rowdy and as against them many cases are pending on the file of the Arakkonam Town Police station and caused nuisance to the public. After seeing the said persons' behavior they thought that it would cause nuisance to the public hence they were arrested at about 2.15 P.M. Between 2.15 and 3.15 P.M the confession-statement was obtained from A1. A knife measuring 2 feet was recovered from the arrested person under the cover of Seizure Mahazar. The P.W.1 and the Gr.I Constable Tr.Sathyanarayanan put their signature as attestors. The 1st signature in confession-statement and the Seizure Mahazar are marked as Ex.P1 and Ex.P2. The knife is marked through him as M.O.1.

(ii) P.W.2 - Thiru.Sathyanarayanan Grade-I constable working in Arakkonam Town Police Station has deposed that he went along with the Sub-Inspector of Police to Ambedkar Mandram at that time two persons created nuisance to the general public by showing the knife and shouting. After seeing them the accused started shouting and created a commotion. When they were enquired by the Sub-Inspector of Police, they told that many cases are pending against them and no one can do anything against

them. In anticipation to prevent further problem to the general public the said persons were arrested and A1 voluntarily gave a confession-statement and it was recorded in his presence and P.W.1. The 2nd signature in the said confession-statement is marked as Ex.P3. The knife was seized from the accused in the presence of him and P.W.1. His 2nd signature in the Seizure Mahazar is marked as Ex.P4. After recovery, the P.W.2, Sub-Inspector of Police, the P.W.1 and the accused along with the case property went to the police station and registered a case against them. He has also identified the case property namely the knife which was seized from the accused from the occurrence place.

(iii) P.W.3 – Thiru.Gopi, Sub-Inspector of Police has deposed that on 21.10.2025 at about 2.00 P.M when he was in the police station upon receiving an information while he was in patrol duty he immediately informed the same to the Grade-I constable P.W.1 and P.W.2 and all of them went to the Ambedkar Mandram at that time the accused were standing there and having 2 feet knife and started threatening the general public and created unwanted seen they were arrested by him along with P.W.1 and P.W.2. The accused was having a dangerous weapon namely the knife therefore they were arrested to prevent the law and order problem, at that time A1 gave a confession-statement in the presence of the witnesses. Before that they were arrested at 2.15 P.M after informing the cause of arrest. Based on the confession-statement a knife was recovered from him under Seizure Mahazar and the same is marked as Ex.P6. The P.W.3 went to the Police station along with P.W.1, P.W.2, the accused and the case property and reached the station at about 4.15 P.M and registered a

case in Cr.No.664/2025 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act. The said FIR is marked as Ex.P5. Thereafter, he had examined the P.W.1 and P.W.2 and recorded their statement independently. Subsequently, the P.W.3 sent the accused for judicial custody along with the case property through Form-91 and the same is marked as Ex.P7. After completing his investigation, he placed entire records to the Inspector of Police, for further investigation.

(iv) P.W.4 - Thiru.Asokan, Inspector of Police has deposed that when he was working as Inspector of Police in Arakkonam Town Police station he took up the case records which was registered by P.W.3 for further investigation and went to the scene of occurrence thereafter examined the witnesses P.W.1 and P.W.2 as they told the same thing what they informed to the Sub-Inspector of police, hence he did not record any separate statement from them. He had examined the Sub-Inspector of police namely Gopi and recorded his statement. After completion of investigation, the sections were altered from u/s 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act to u/s 296(b), 132, 351(2) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act and filed a charge sheet against the accused. The alteration report is marked as Ex.P8.

7. After completing the prosecution side evidence, the accused were questioned u/s 313(1)(b) of Cr.P.C with regard to the incriminating evidence appearing against them, for that the accused have replied that they have denied the evidence and told that they do not have witnesses to be examined on their side, hence, defence side evidence was closed on 05.08.2026.

8. **The point for consideration is:-**

1) Whether the charges levelled against the accused u/s 296(b), 132, 351(2) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act are proved by the prosecution beyond all reasonable doubt?

9. The Learned Additional Public Prosecutor has argued that upon receiving the secret information, the P.W.3 went to the scene of occurrence along with P.W.1 and P.W.2 at that time the accused was threatening the general public by showing the knife and also informed them that as against them many cases are pending on the file of the Arakkonam Town Police station and they are rowdy and nobody can do anything against them and created nuisance to the public. After hearing the same and seeing the activity of the accused the P.W.1 to P.W.3 surrounded the accused and arrested them. The accused were informed the cause of arrest. After arrest the 1st accused voluntarily gave a confession- statement to the P.W.3 and it was recorded in the presence of P.W.1 and P.W.2. Based on the confession-statement the case property namely the knife was produced by the 1st accused and the same was recovered under the cover of Seizure Mahazar in which the P.W.1 and P.W.2 stood as attestors. The P.W.1 and P.W.2 have identified the case property namely the knife and the same has been marked as M.O.1. The P.W.3 is the Sub-Inspector of Police has clearly deposed about the arrest, recording of confession-statement, recovery, preparation of Seizure Mahazar, registration of FIR. Through P.W.3 the FIR has been marked as Ex.P5. P.W.4 is the Inspector of police has deposed about the inspection of the scene of occurrence, examination of witnesses and filing of charge sheet. Therefore, the

prosecution has clearly established that the accused have committed the offences u/s 296(b), 132, 351(2) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act. The accused has to be dealt with according to law.

10. The Learned defence counsel has argued that in the case on hand, the P.W.3 is the Investigating Officer as well as registered the F.I.R. The P.W.3 cannot act as the Investigation Officer under the Arms Act. The P.W.3 has no right to register the FIR. The P.W.4 has not prepared the Rough-Sketch or Observation-Mahazar. In the absence of a complaint, the P.W.3's evidence cannot be accepted.

11. To substantiate the case of the prosecution, totally four witnesses were examined, through them Ex.P1 to Ex.P8 were marked. The P.W.3 is the one who has registered the FIR and through him the FIR has been marked as Ex.P5. According to P.W.3 after receiving a secret information he proceeded to the scene of occurrence along with P.W.1 and P.W.2 on 21.10.2025 at that time the accused were threatening the general public by showing the knife and created unnecessary problems. In order to curtail the same the P.W.3 arrested them with the help of P.W.1 and P.W.2 after revealing the cause of arrest to them. After arrest the accused A1 voluntarily gave a confession-statement and the same was recorded in the presence of P.W.1 and P.W.2 based on the confession-statement, the accused produced the knife before the P.W.1 and P.W.2 and the same was recovered under the Seizure Mahazar Ex.P6. The knife recovered from the accused has been identified by PW.1 and P.W.2. The P.W.4 is the investigating officer has deposed about the filing of charge sheet.

12. The defence side has attacked the prosecution case on the ground that there was no complaint received by P.W.3, without any complaint he cannot register the FIR against the accused. This court has gone through the FIR filed by the P.W.3 which is marked as Ex.P5 wherein it is stated that the FIR was lodged based on the information received from the informer they went to the scene of occurrence. It is not required that who gave the information to P.W.3 and the details of informer. The procedure regarding information in cognizable cases is mentioned U/s 154 of Cr.P.C the information relating to the commission of offence if given orally, shall be reduced into writing by him or under his direction. Admittedly in the case on hand, there is no written complaint given by any individual or general public. Based on the information received from the informer the P.W.3 proceeded to the scene of occurrence and the same has been reduced into writing by way of an FIR and based on the FIR the law was set into motion therefore the plea taken by the defence counsel that there is no written complaint in this case therefore the accused is entitled for acquittal cannot be accepted.

13. The next ground taken by the defence counsel is that the P.W.3 who is the Sub-Inspector of police cannot act as the Investigating Officer under the Arms Act. The Act says not below the rank of the Inspector the investigation has to be conducted. In the case on hand, the P.W.3 is the Sub-Inspector of Police has registered the FIR. When the Act says that the Sub-Inspector of Police is not the competent person to register the FIR it is fatal to the prosecution case.

14. As far as the recovery of the case property is concerned, as soon as the accused is arrested, he gave a confession-statement and the knife was recovered from him. It has been attested by two witnesses namely P.W.1 and P.W.2. When the case of the prosecution is that the accused threatened the general public and created nuisance definitely independent witnesses will be available at the scene of occurrence, but no one has been cited as witness in this case except the police officials which creates doubt in the case of the prosecution. Even assuming without admitting it to be true that the general public was threatened by the accused definitely a complaint would have been received by the Sub-Inspector of Police about the alleged threat given by the accused. There is no separate complaint received from the general public on the other hand the FIR itself was registered based on the information given by the informer. The P.W.3 is the author of the FIR he has clearly accepted that he did not receive any complaint from the public.

15. Yet another ground raised by the defence counsel is that when the prosecution is very clear about the scene of occurrence it is the duty on the part of the Investigating Officer to prepare a Rough Sketch and Observation Mahazar. Admittedly neither the P.W.3 nor the P.W.4 prepared the Rough Sketch and Observation-Mahazar. Without preparing the same, based on the oral statement of P.W.1 to P.W.4 alone it cannot be decided that the occurrence took place as alleged by the prosecution on 21.10.2025 at the scene of occurrence.

16. The P.W.4 in his cross-examination has accepted that the P.W.3 did not receive any single complaint from the public about the

alleged threat given by the accused. In this case, the prosecution relied three documents to substantiate their case ie., Ex.P5 is the FIR, Ex.P6 is the Seizure Mahazar and Ex.P7 is the Form-91. Based on the aforesaid three documents alone this court cannot come to the conclusion that the accused was arrested on 21.10.2025 in the presence of P.W.1 and P.W.2 near Ambedkar Mandram.

17. In CrI.O.P.No.14911/2022

Vignesh /vs/ State by Inspector of police, D1, Triplicane Police Station, Chennai 600 037

In this case, the Hon'ble High Court of Madras has held that 7(1)(a) of Criminal Law Amendment Act is only an amendment to Section 195A of IPC and it is not penal provision, hence the First Information Report u/s 7(1)(a) of Criminal Law Amendment Act is an abuse of process of law. Therefore registration of the First Information Report under section 7(1)(a) of CLA will not serve any purpose.

18. Under Section 25(1-A) of Arms Act criminalizes the unauthorized manufacturing, selling, transferring, repairing or possessing of any firearm or ammunition without a valid license. Section 7 of the Act deals with prohibited ammunition in controversy to Section 7.

19. Section 7 says prohibition of acquisition or possession or of manufacture or sale or prohibited arms or prohibited ammunition. The Central Government prohibits carrying a knife with a blade larger than 9 inches or a width exceeding 2 inches without a valid license. In this case

the prosecution says that the case property was seized from the accused. The P.W.3 seized the case property from the custody of the accused in the presence of P.W.1 and P.W.2 does not inspire this court to believe the recovery. When the prosecution has failed to prove that the accused caused nuisance to the general public, without examining the public as witness, the said nuisance cannot be held as proved. The burden of proof heavily cast upon the prosecution to prove the case against the accused. In this case, the prosecution has utterly failed to prove its case against the accused and the benefit of doubt is given to the accused and he is entitled for acquittal.

In the result, the accused 1 and 2 are found not guilty for the offence u/s 296(b), 132, 351(2) of BNS Act and 7(1)(a) of CLA Act r/w 25(1-A) of Arms Act and they are acquitted u/s 235(1) of Cr.P.C.

The case property in C.P.No.5/2026 which was marked as M.O.1 is ordered to be destroyed after the expiry of the Appeal time.

The Bail bond executed by the accused 1 and 2 shall stand cancelled.

Dictated by me to the Steno-typist, typed by her directly to my dictation in computer and print taken out, corrected and pronounced by me in the open court, this, the 6th day of August 2026.

II Additional District & Sessions Judge,
Arakkonam.

WITNESSES EXAMINED ON THE SIDE OF THE PROSECUTION:

Prosecution witness No.	Name of witness	Description
1	Tr.Divakar Gr I Constable	Confession and Seizure Mahazar witness
2	Tr.Sathyanarayanan Gr.I constable	Confession and Seizure Mahazar witness
3	Tr.Gopi S.I of police	Investigating Officer
4	Tr.Asokan, Inspector of Police	Investigating Officer

EXHIBITS MARKED ON THE SIDE OF THE PROSECUTION:-

Exhibit No.	Description of the Exhibit	Proved by/ Attested by
1	1 st signature in confession-statement of A1	P.W.1
2	1 st signature in Seizure Mahazar	P.W.1
3	2 nd signature in confession-statement of A1	P.W.2
4	2 nd signature in Seizure Mahazar	P.W.2
5	First Information Report	P.W.3
6	Seizure Mahazar	P.W.3
7	Form-91	P.W.3
8	Seizure Mahazar	P.W.4

MATERIAL OBJECTS MARKED:-

M.O.1	சுமார் 2 அடி நீளமுள்ள ஸ்டீல் பட்டா கத்தி ஒன்று கைப்பற்றப்பட்டது	P.W.1
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WITNESSES EXAMINED AND EXHIBITS MARKED ON THE SIDE OF THE
DEFENCE:- NIL.

II Additional District & Sessions Judge,
Arakkonam.

Copy submitted to:-

1. The Hon'ble Registrar General, High Court of Judicature, Chennai.
2. The Hon'ble Principal District Judge, Ranipet.

Copy to :

1. The District Collector, Ranipet.
2. The Superintendent of Police, Ranipet.
3. The Judicial Magistrate No.I, Arakkonam.
4. The accused through their counsel.