



Crl.O.P.Nos.438 & 449 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.438 & 449 of 2025

Pradheep ... Petitioner in Crl.O.P.No.438 of 2025

Akash ... Petitioner in Crl.O.P.No.449 of 2025

Vs.

The State represented by,
The Inspector of Police,
R10, MGR Nagar Police Station, Chennai.
(Crime No.495 of 2024).

... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleased to enlarge the petitioners on bail, in connection with Crime No.495 of 2024, pending investigation on the file of the respondent Police.

For Petitioner in Crl.O.P.No.438 of 2025 : Ms.M.Surekha

For Petitioner in Crl.O.P.No.449 of 2025 : Mr.K.Muthuvel

For Respondent in both Crl.O.Ps. : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

Petition seeking bail in respect of Crime No.495 of 2024 registered for the offences punishable under Sections 278 & 123 of BNS, is on board for consideration.



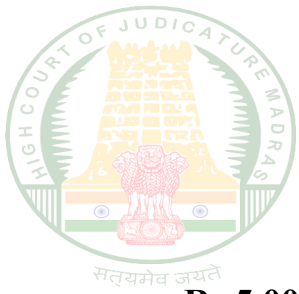
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2. The incarceration of the petitioners being from 16.12.2024 pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seeks indulgence of this Court. He also submits that the petitioners have nothing to do with the alleged offence and they are ready to abide by any stringent condition that may be imposed by this Court. He further submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.5,000/- each to any welfare scheme of the Government or any other organization.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused were found to be illegal possession of 90 Tydol 100 mg (Tapentadol) tablets and several number of syringes. He further submits that there are six accused in this case and the petitioners are arrayed as A4 and A1 respectively. He also submits that the case is under investigation and further, both the petitioners having several previous cases.

4. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of



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Rs.5,000/- (Rupees Five Thousand only) each to the credit of "**The Tamil Nadu Advocate's Clerk's Association, Account Number : 484026006, IFSC Code : IDIB000M157, Indian Bank, Madras High Court Branch**", without prejudice to the right of defence before the trial Court and making it clear that it would not amount to admission of guilt.

5. Further, having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of which, one of the sureties should be the blood related surety of the petitioners)**, each for a like sum to the satisfaction of the learned **XXIII Metropolitan Magistrate, Saidapet, Chennai**, 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;



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[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioners shall not tamper with 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 petitioners in accordance with law 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.

21.01.2025

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To

1. The XXIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Inspector of Police,
R10, MGR Nagar Police Station, Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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