



WEB COPY



CrI.O.P.No.2173 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

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

G.O.P.No.2173 of 2025

Nithish @ Lee Lee

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vellore Police Station,
Namakkal.

(Crime No.7 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.7 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Deepan Uday

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

Petition seeking bail in respect of Crime No.7 of 2025 registered for the offences punishable under Section 123 of BNS, is on board for consideration.



Crl.O.P.No.2173 of 2025

2. The incarceration of the petitioner/A1 being from 08.01.2025 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is in no way connected with the alleged offence, however, without prejudice to the defence and contention, he is ready and willing to deposit a sum of Rs.10,000/- to any welfare scheme of the Government or any other organization. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

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 petitioner/A1 was found to be in illegal possession of 10 Tapentadol tablets (100 mg) and he had confessed that he had purchased the same from A2. He also submits that three previous cases are pending against the petitioner.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the **"District Legal Services Authority, Namakkal"**, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.



CrI.O.P.No.2173 of 2025

WEB COPY

5. Further, having heard the learned counsel for the petitioner, 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 petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond 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 petitioner), each for a like sum to the satisfaction of the learned **Judicial Magistrate, Paramathi, Namakkal District**, 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, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



WEB COPY



Crl.O.P.No.2173 of 2025

A.D.JAGADISH CHANDIRA.,J.

ham

[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 of B.N.S.

30.01.2025

ham

To

1. The Judicial Magistrate,
Paramathi, Namakkal District.
2. The Inspector of Police,
Vellore Police Station,
Namakkal.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.2173 of 2025