



Crl.O.P.No.2630 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

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1. Kalaiselvam
2. Logesh
3. Suriya

... Petitioners/A5, A9 & A10

Vs.

The State represented by,
The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai.

(Crime No.1287 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.1287 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.P.Muthamizh Selvakumar

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 11.11.2024, seeking bail in Crime No.1287 of 2024 registered for the offence under Sections 123 and 278 of BNS



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Act.

2. The case of the prosecution is that A1 and A2 had mixed Tydol tablets with water and injected the same to the defacto complainant; that based on the confession of A1 and A2, 400 Tydol tablets were seized from the petitioners herein/A5, A9 and A10.

3. The learned counsel appearing for the petitioners would submit that the petitioners are sought to be implicated on the confession of the co- accused; that they are in custody from 11.11.2024; and since further custody is not required for the purpose of investigation, they may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that petitioners 1 and 3 are having each one previous case and the 2nd petitioner is having two previous cases.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the



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materials available on record.



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6. Considering the period of incarceration, the nature of the allegations, the fact that the petitioners have been implicated on the confession of the co-accused and that since, their further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Poonamallee**, 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 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



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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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

12.02.2025

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To

1. The Judicial Magistrate No.II,
Poonamallee.
2. The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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