



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7255 of 2025

1.Vignesh

2.Gopi

... Petitioners /Accused 2 & 3

Vs.

The State rep. by
The Inspector of Police,
Cheyyar Police Station,
Tiruvannamalai District.

... Respondent/ Complainant

(Crime No.67 of 2025)

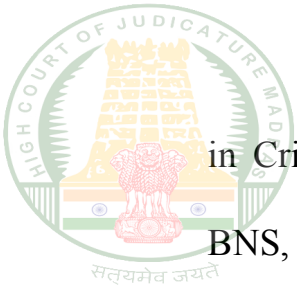
Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of arrest in Crime No.67 of 2025 by the respondent Police.

For petitioner : Mr.G.Somasekar

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 14.02.2025, seeking bail



in Crime No.67 of 2025 registered for the offence under Section 123 of BNS, 2023.

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2.It is the case of the prosecution that the petitioners along with the other accused were found in possession of 143 Tydol tablets. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent; that the similarly placed co-accused was granted bail by this Court in Crl.O.P.No.6955 of 2025 on 11.03.2025; that the contraband has been seized and the petitioners are in custody from 14.02.2025 and hence, their further custody is not required and the learned counsel for the petitioners also made an endorsement withdrawing the petition insofar as A3/the second petitioner.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are three previous cases pending against the first petitioner/A2 and nine previous cases, out of which, six of them were registered under NDPS Act, are pending against the second petitioner/A3.



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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations against A2/the first petitioner, the fact that the similarly placed co-accused was granted bail by this Court in Crl.O.P.No.6955 of 2025 on 11.03.2025 and since his further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the first petitioner/A2 alone with certain conditions and the petition is dismissed in respect of the second petitioner/A3.

7.Accordingly, the first petitioner/A2 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**, each for a like sum to the satisfaction of the **Judicial Magistrate Court, Cheyyar, Tiruvannamalai 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 first petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

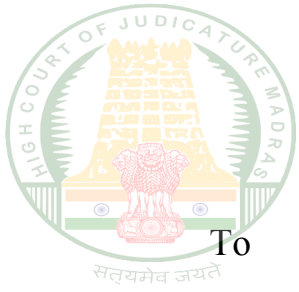
[d] the first petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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 B.N.S.

13.03.2025

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To

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1. The Inspector of Police,
Cheyyar Police Station,
Tiruvannamalai District.

2.Sub Jail, Vandavasi, Tiruvannamalai.

3.The Judicial Magistrate Court, Cheyyar, Tiruvannamalai District.

2.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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