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Crl.O.P.No.8628 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8628 of 2025

Riyaz @ Mohamed Riyaz
S/o. Abdul Kathar

....Petitioner/Accused-4

Vs

The State represent by
The Sub-Inspector of Police,
C-1, Flower Bazaar Police Station
Chennai 600 001
(Crime No.60 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.60 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. R. Nagaraj

For Respondent : Mr. S. Balaji
Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 123 of BNSS Act, 2023, in Crime No.60 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first and second accused, on secret information, were found in illegal possession of 36 strips of Tydol 100 mg tablets and it was revealed from their confession that it was meant to be handed over to the petitioner.

3. The learned counsel appearing for the petitioner would submit the petitioner has no bad antecedent; that he is sought to be impleaded on the confession of the co-accused and that no contraband was seized from the petitioner and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that no



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contraband was seized from the petitioner; that the petitioner is impleaded based on the confession of the co-accused and that the investigation is still pending, and opposed to grant anticipatory bail to the petitioner.

5. Considering the the nature of allegations against the petitioner, submissions made by the learned counsels on either side, the fact that the petitioner has no bad antecedent, he has been impleaded on the confession of the co-accused and no contraband was seized from him, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned VIII Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioner and 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 tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 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].



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

24.03.2025

bga

To

1. The VIII Metropolitan Magistrate, George Town, Chennai
2. The Sub-Inspector of Police,
C-1, Flower Bazaar Police Station
Chennai 600 001
(Crime No.60 of 2025)
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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