



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.10284 of 2025

1.Sanjay
2.Kathikeyan

...Petitioners/Accused 1 & 2

Vs.

State rep by
The Inspector of Police,
T-14 Madhuravoyal Police Station,
Chennai District.

(Crime No.249 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.249 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.P.Muthamizhselvakumar

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who



were arrested and remanded to judicial custody on 11.03.2025, seeking bail in Crime No.249 of 2025 registered for the offence under Sections 123 and 278 of BNS, 2023 r/w Section 77 of JJ Act, 2015.

2.It is the case of the prosecution that on 11.03.2025 at about 8.00 hours, based on a secret information that some unknown persons were consuming Tydol tablets by using syringes near Madhuravoyal bridge, the respondent and their officials went to the scene of occurrence and found the petitioners along with the other accused in possession of 1800 Tydol tablets. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent; that the contraband has been seized; and that in any case, the petitioners are in custody from 11.03.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that the contraband has been seized and that the first petitioner has six previous cases and the second petitioner has one previous case and they are on bail in those cases and that charge sheet



has been filed.

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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, period of incarceration, the fact that the contraband has been seized, the charge sheet has been filed, the petitioner is on bail in the previous cases and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate 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 **Judicial Magistrate Court 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 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.

07.04.2025

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Copy to:

- 1.The Inspector of Police,
T-14 Madhuravoyal Police Station,
Chennai District.
- 2.The Judicial Magistrate Court No.II, Poonamallee.
- 3.Central Prison, Puzhal -II.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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