



Crl.O.P.No.11844 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11844 of 2025

Giriharan S/o. Murugesan
1

... Petitioner/Accused-

Vs.

The State represented by-

The Inspector of Police,
Veppadai Police Station,
Namakkal District.
(Cr. No.56 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Cr. No.56 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. C.S. Saravanan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 30.03.2025, seeking bail in Cr. No.56 of 2025 registered for the offences under Section 123 of B.N.S.



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2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 53 Tapantadol tablets. Hence the case.

3. Learned counsel appearing for the petitioner submitted that petitioner is in custody from 30.03.2025; that since the contraband has been seized; that further custody of the petitioner is not required and therefore, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has three previous cases and confirmed the fact that the petitioner is on bail in those cases; and that contraband was seized.

5. Considering the nature of allegations, period of incarceration, contraband has been seized, the petitioner is on bail in other previous cases and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Kumarapalayam.**

[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;

[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 B.N.S.



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SUNDER MOHAN., J.

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To

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

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