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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17058 of 2025

1.Murugavel

2.Venkatesh

... Petitioners

Vs.

State rep. by
The Inspector of Police,
T-15 Kannagi Nagar Police Station,
Chennai
Crime No. 179 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner /Accused on bail in
Crime No.179 of 2025 pending on the file of the Respondent police.

For petitioner : Mr.S.N.Arun kumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.04.2025, for the offence punishable under Sections 8(c), r/w 22(b), 29(1) of
Narcotic Drugs & Psychotropic Substances Act, 1985, in connection with Crime
No.179 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioners along with other accused was found to be in illegal possession of 24 tablets of Alprazolam and 900 tablets of Tapentadol and selling in the local area. Hence, the case.

3. Learned counsel appearing for the petitioners seeks the permission of this court to withdraw this petition in respect of A2 alone and he has also made an endorsement to that effect.

4. Learned counsel appearing for the petitioners submitted that A5 was already released on bail in CrI,OP.No.15975/2025 dated 22.05.2025 by this court. The petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, however, they are suffering incarceration from 25.04.2025. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

5. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there are totally 7 accused and 900 tablets of Tapentadol has been recovered from the accused A7 and no previous case pending against A4.



6. Heard both sides and perused the materials available on record.

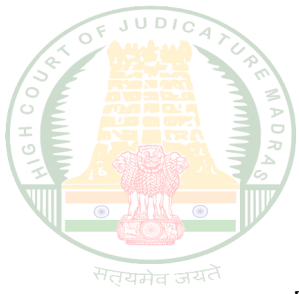
7. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner and A5 was already released on bail and the petitioner is ready to abide by any condition, this Court is inclined to grant bail to the petitioner with certain conditions.

8. In view of the submission and endorsement made by the learned counsel for the petitioners, this Petition is dismissed as withdrawn in respect of A2/1st petitioner alone.

9. Accordingly, the second petitioner/A4 is ordered to be released on bail on his executing separate 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 learned **Judicial Magistrate Court-II, Saidapet**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure his identity;

[b] the 2nd petitioner/A4 shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for further interrogation;



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[c] the 2nd petitioner/A4 shall make himself available for interrogation by a Police Officer as and when required;

[d] the 2nd petitioner/A4 shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the 2nd petitioner/A4 to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 2nd petitioner/A4 in accordance with law as if the aforementioned conditions have been imposed and the 2nd petitioner/A4 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)13 SCC 283]**;

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

20.06.2025

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Judicial Magistrate Court-II, Saidapet.
2. The Inspector of Police,
T-15 Kannagi Nagar Police Station,
Chennai
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

gv

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