



WEB COPY



Crl.O.P.No.19344 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19344 of 2025

Prabhu

... Petitioner/A2

Vs.

State Rep. By
The Inspector of Police,
Ramapuram Police Station,
Chennai – 600 089.
(Crime No.181 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.181 of 2025 on the file of the respondent police.

For Petitioner : Mr.Ramasubramanian

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2025, for the offence punishable under Sections 278, 123 of BNS, 2023 and Section 77 of the Juvenile Justice (Care and Protection of



CrI.O.P.No.19344 of 2025

WEB COPY

Children) Act, 2015 in connection with Crime No.181 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that petitioner along with other accused was found to be in illegal possession of 438 numbers of Talpendatol and Talpidol Tablets without any Doctor's prescription. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected in the alleged offence. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.The 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 the co-accused/A1 was detained under Act, 14 of 1982. He further submitted that the petitioner has got two previous cases, of which, one in similar nature.



WEB COPY



Crl.O.P.No.19344 of 2025

5.Heard the learned counsel appearing on both sides.

6.Considering the submissions made on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Judicial Magistrate No.I, Poonamallee** 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 their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;

[c] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[d] the petitioner to give an undertaking that if required for being identified by witnesses during investigation



WEB COPY



CrI.O.P.No.19344 of 2025

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;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

08.07.2025

rsi

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.



CrI.O.P.No.19344 of 2025

To

WEB COPY

1.The Judicial Magistrate No.I,
Poonamallee.

2.The Inspector of Police,
Ramapuram Police Station,
Chennai – 600 089.

3.The Superintendent,
Central Prison-II, Puzhal,
Chennai.

4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.19344 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.19344 of 2025

08.07.2025