



Crl.O.P.No.19250 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19250 of 2025

J.Purushothaman

.. Petitioner

Vs.

The State rep by
The Inspector of Police
T-5 Thiruverkadu Police Station
Chennai District
Crime No. 358 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. 358 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.05.2025, for the offence punishable under Section 123 of BNS, 2023 in Crime No. 358 of 2025, registered on the file of the respondent, seeks bail.



Crl.O.P.No.19250 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused had mixed the tapentadol tablets with water and injected the same through syringe to the defacto complainant for intoxication due to which, the defacto complainant sustained dizziness and admitted in the hospital. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 27.05.2025. 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. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that totally there are two accused in this case and the petitioner/A2 was arrested on 27.05.2025. He further submits that the petitioner, who is a friend of defacto complainant, altogether consumed alcohol and thereafter, injected the tapentadol tablets through syringe to the defacto complainant due to which, the defacto complainant got admitted in the hospital. He also submits that no previous case is pending against the petitioner.



Crl.O.P.No.19250 of 2025

WEB COPY

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, considering 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 her 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.2, 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 Director, Government Institute of Mental Health, Chennai, Tamil Nadu (De-addiction Ward) daily at 10.30 am., for a period of 30 days.

[c] The petitioner shall make himself available for interrogation by a Police Officer as and when required;

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



CrI.O.P.No.19250 of 2025

WEB COPY

[e] the petitioner 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 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]**;

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

07.07.2025

nr



CrI.O.P.No.19250 of 2025

WEB COPY

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.

To

1. The Judicial Magistrate No.2, Poonamallee
2. The Inspector of Police
T-5 Thiruverkadu Police Station
Chennai District
3. The Superintendent,
Central Prison, Puzhal-II.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.19250 of 2025

M.NIRMAL KUMAR, J.

nr

Crl.O.P.No.19250 of 2025

07.07.2025