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Crl.O.P.No. 19784 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.19784 of 2025

Vicnesh @ Malaai Vicky

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
P-3, Vyasarpadi Police Station,
Chennai, Tamilnadu.
Crime No. 213 of 2025.

... Respondent

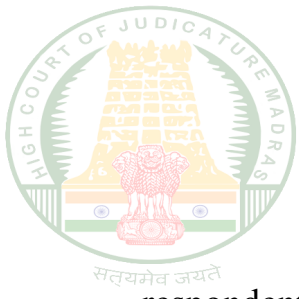
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No.213 of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr.M.Illiyas

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

ORDER

The petitioner, who was arrested on 21.06.2025, for the offence punishable under Sections 123 of BNS & under Section 6(a), 24(1) of COTPA Act, 2003 in connection with Crime No. 213 of 2025, registered on the file of the



CrI.O.P.No. 19784 of 2025

respondent, seeks bail.

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2. The case of the prosecution is that on 21.06.2025, based on secret information, the Sub-Inspector of Police, with permission from the Inspector, conducted a raid and found the petitioner in possession of 200 grams of mava and Rs.1,650/- in cash, allegedly intended for illegal sale at a high price. Hence, the complaint.

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 21.06.2025. 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 (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 21.06.2025 and no previous case is pending against the petitioner.



CrI.O.P.No. 19784 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 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 X Metropolitan Magistrate Court, Egmore, Chennai** 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 daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation.



WEB COPY



CrI.O.P.No. 19784 of 2025

[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;

[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.

14.07.2025

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CrI.O.P.No. 19784 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 X Metropolitan Magistrate Court, Egmore, Chennai.
2. The Inspector of Police,
P-3, Vyasarpadi Police Station,
Chennai, Tamilnadu.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No. 19784 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No. 19784 of 2025

14.07.2025