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Crl.OP.No.25093 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25093 of 2025

Karthikeyan

... Petitioner

Vs.

State Rep by
The Inspector of Police,
T5,Thiruverkadu Police Station,
Chennai. ... Respondent
(Cr.No.521 of 2025)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.521 of 2025 on the file of The Inspector of Police,T5,Thiruverkadu
Police Station, Chennai.

For Petitioners : Mr.R.Muthukumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
01.08.2025, for the offence punishable under Section 123 of BNS, Act,
2023 in Crime No. 521 of 2025, registered on the file of the respondent,
seeks bail.



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2. The case of the prosecution is that on 01.08.2025, during regular check up, the petitioner was found to be in illegal possession of 800 Tydol (100 mg) tablets. 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 01.08.2025. 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, reiterated the prosecution case and submitted that the contraband seized from them is not a narcotic drug and it is only a scheduled drug. He also submits that both the accused persons were arrested. However, he opposed for grant of bail to the petitioner.

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

6. The allegation against this petitioner is that the petitioner along with his friend used to misuse the scheduled drugs namely tapentadol



tablets(100mg) and on the basis of the secret information, the respondent police intercepted them and recovered 800 tydol tablets and 5 injections.

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7. 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, also considering the fact that the drug used by the accused is not a narcotic drug , this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate-II, 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 daily at 10.30a.m., for a period of three weeks and thereafter, as and when required for



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interrogation.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

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

17.09.2025

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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-II
Poonamallee
2. The Inspector of Police,
T5, Thiruverkadu Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor
High Court, Madras.



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K.RAJASEKAR, J.

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