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Crl.O.P.Nos.26818 & 26834 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.26818 & 26834 of 2025

Radhakrishnan @ S.Radhakrishnan Reddy

... Petitioner
in Crl.O.P.No.26818 of 2025

Baskar

... Petitioner
in Crl.O.P.No.26834 of 2025

Vs.

The State represented by
The Inspector of Police,
Gudiyatham Town Police Station,
Vellore District.
(Crime No.370 of 2025)

... Respondent
in both Crl.O.Ps'

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime No.370 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.A.Vijaya Kumar
in both Crl.O.P.s'

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)
in both Crl.O.P.s'



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COMMON ORDER

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The petitioners/A13 and A14 were arrested and remanded to judicial custody on 11.09.2025, for the offence punishable under Sections 123 & 111 of the Bharatiya Nyaya Sanhita, 2023 and Section 77 of JJ Act, in Crime No.370 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners, along with other accused, found in possession of 277 Tapentadol Hydrochloride Tablets (each 100 mg) and were selling drugs to school and college students in and around the Gudiyatham area. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the names of the petitioners are not found in the FIR, though the accused have been arrested. He further submitted that the petitioners are innocent and have been falsely implicated in this case based on the confession of A4, and that they have been in custody since 11.09.2025. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case and submitted that the petitioners do not have any bad antecedents.



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

6. Considering the nature of the allegations, the fact that the contraband seized is a Schedule H drug which was misused by the petitioners, and the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Gudiyatham, Vellore District**, 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 petitioners shall report before the respondent police for a period of three weeks, and thereafter as and when required for interrogation;



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

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

[e] the petitioners 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 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]**;

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

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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.

To

- 1.The Judicial Magistrate, Gudiyatham, Vellore District.
- 2.The Inspector of Police,
Gudiyatham Town Police Station,
Vellore District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

cda

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