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Crl.OP.No.27125 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.27125 of 2025

1. Harikrishnan
2. Venkatesan

... Petitioners

Vs.

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

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in connection with Cr.No.370 of 2025 on the file of the respondent police.

For Petitioners : Mr.A.Vijaya Kumar

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 11.09.2025 for the alleged offence under Sections 123, 111 of BNS Act, 2023 and Section 77 of JJ Act in Crime No.370 of 2025 on the file of the respondent police, seeks bail.



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

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have falsely implicated in this case based on the confession of A4 and that they have been in custody since 11.09.2025. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioners do not have bad antecedents. However, he opposed to grant bail to the petitioners.

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

6. Considering the facts and circumstances of the case, the submissions made by both counsel, the fact that the contraband seized is



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Schedule H Drug which was misused by the petitioners and the period of incarceration and that they have no bad antecedents, I am inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Vellore** 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 a period of three weeks and thereafter as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



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Crl.OP.No.27125 of 2025

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]**;

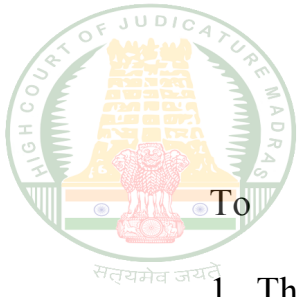
[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08.10.2025

Vv

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

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1. The Special Court for Exclusive Trial of Cases
under POCSO Act, 2012, Vellore

2. 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.

Vv

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