



CrI.O.P.No.33 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No. 33 of 2025

1. Arun
2. Donbosco ... Petitioners

Vs.

State: Represented by
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
(Crime No. 860/2024)

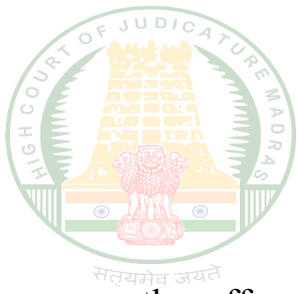
... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.
860 of 2024 on the file of the Inspector of Police, Sriperumbudur Police Station,
Kancheepuram District.

For Petitioners : Mr.B. Gopalakrishnan
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

Petition seeking bail in respect of Crime No.860 of 2024 registered for



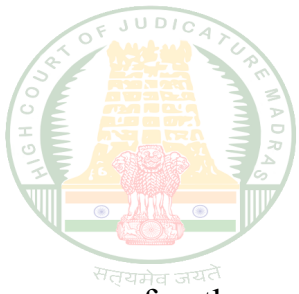
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the offences punishable under Sections 123 & 278 of BNS, is on board for consideration.

2.The incarceration of the petitioners being from 07.12.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.**5,000/- each** to any welfare scheme of the Government or any other organization. He also submits that the petitioners are no way connected with the alleged offences and they are ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, on a routine vehicle check by the respondent Police on 27.11.2024, near Toll Plaza at Chennai Sriperumbudur National Highway, the petitioners, who were travelling in a two-wheeler bearing Registration No. TN 09 DB 0533, were found to be in possession of 200 numbers of Tydol tablets and on enquiry, it came to light that the petitioners along with the other accused used to sell those tablets to students for higher price.

4.Considering the voluntary submission made by the learned counsel



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for the petitioners, the petitioners are directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) **each** to the credit of the "**Missionaries of charity, Nirmala Shishu Bhavan, No.26/79, West Madha Church Road, Royapuram, Chennai - 600 013, South Indian Bank Limited, George Town Branch, A/C.No. 0042053000009382, IFSC.Code No. SIBL0000042.**" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, (out of the two sureties one should be either Mother or Father of the petitioner) each for a like sum to the satisfaction of the learned Judicial Magistrate, Sriperumbudur, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560]***;

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

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1. The Judicial Magistrate,
Sriperumbudur.
2. The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
3. The Superintendent,
Sub Jail, Kancheepuram.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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