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Crl.O.P.No.28439 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28439 of 2025

P.Srinivasan

... Petitioner/A2

Vs.

The State represented by
The Inspector of Police,
P1 Thiruvallur Town Police Station,
Tiruvallur.

(Crime No.317 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.317 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.S.Mohan Raj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 25.08.2025, for the offence punishable under Sections 132 and 278 of
BNSS Act, 2023 and Section 77 of Juvenile Justice Act 9 (Care and
Protection of Children) Act, 2015, in Crime No.317 of 2025, registered on
the file of the respondent, seeks bail.



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2. The allegation against the petitioner is that the petitioner along with other accused was found in possession of 2050 Nos of Tapentadol tablets. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and no contraband has been recovered from the petitioner. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that totally there are five accused and they were involved in illegal selling of tapentaol tablets to the school going children for intoxication and further submitted that, petitioner has no previous case and hence, he strongly opposed the grant of bail to the petitioner.

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

6. Considering the nature of offence committed by the petitioner and taking into account the period of incarceration and also considering the



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fact that the petitioner has no previous case, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Court of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur** 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 stay at Tanjore and report before the Inspector of Police, Tanjore Medical College Police Station daily at 10.30.a.m., for a period of four weeks and thereafter as and required for interrogation.

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



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[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.

23.10.2025

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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.

To

1. Court of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur.
2. The Inspector of Police,
P1 Thiruvallur Town Police Station,
Tiruvallur.
3. The Puzhal Prison
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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