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Crl.O.P.No.30382 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.30382 of 2025

G. Prem Kumar

... Petitioner/ A4

Vs

The State rep. by,
The Inspector of Police,
Tiruvallur Town Police Station.
(Crime No.317 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.317 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. M. Ganesh Babu

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.08.2025 for the offences punishable under Section 132, 278 of BNS r/w Under Section 77 of JJ Act in Crime No.317 of 2025, registered on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 08.10.2025 in Crl.O.P.No.26788 of 2025.

2. The case of the prosecution is that, the petitioner along with other accused persons involved in illegal possession of 2050 nos. of Tapentadol tablets for the purpose of selling the same to the school and college going children. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 26.08.2025; that the co-accused/ A2 was already enlarged on bail by this Court, vide order dated 23.10.2025 in Crl.O.P.No.28439 of 2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the



petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally five accused involved in this case and the petitioner is arrayed as A4; that the petitioner has one previous case under IPC offence; that 2050 nos. of Tapentadol tablets involved in this case; and that the investigation of this case is pending.

5. Considering the facts and circumstances of the case, the seized contraband is not a narcotic drugs or psychotropic substances, the co-accused were already enlarged on bail and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 -I, Tiruvallur** and on further conditions that:



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[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 when required for interrogation by the respondent police;

[c] 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]**;

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

07.11.2025

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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. The Judicial Magistrate-II,
Poonamallee.
2. The Inspector of Police,
Tanjore Medical College Police Station,
Tanjore.
3. The Inspector of Police,
Tiruvallur Town Police Station.
(Crime No.317 of 2025)
4. The Superintendent,
Central Prison-II, Puzhal.
5. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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