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Crl.O.P.No.2837



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28379 of 2025

Mumtaj @ Pushpa

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Katpadi Police Station,
Vellore District.
(Crime No.357 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.357 of 2025 on the file of the Respondent police.

For Petitioner : Mr.S.Thirugnanam

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

**ORDER**

WEB COPY The petitioner, who was arrested and remanded to judicial custody on 18.09.2025, for the alleged offence punishable under Sections 111, 123 of BNS in Crime No.357 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is in possession of Tanydol 100 and Tapentadol Hydrochloride tablets and those tablets are not scheduled drugs. Hence, this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 18.09.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing the bail to the petitioner, reiterated the prosecution case and states that the petitioner is attempting to sell the drugs to the juvenile.



However, the same was recovered and that the investigation has been completed and there is no previous case is pending against the petitioner.

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5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the nature of the allegations, the fact that the contraband seized from the petitioner is narcotic drugs or psychotropic substances and he is schedule drugs taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate, Katpadi, Vellore, Vellore District*, 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 petitioner shall stay at Dharmapuri and report before the Athiyamankattai Police Station for a period of three weeks and thereafter report before the respondent police as and when requires for interrogation;

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

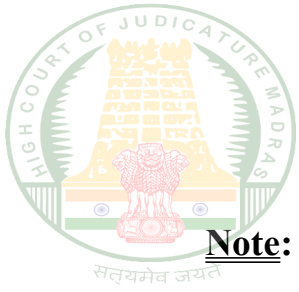
[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

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

16.10.2025

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Note:

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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, Katpadi, Vellore, Vellore District.
- 2.The Inspector of Police,
Katpadi Police Station,
Vellore District.
- 3.The Superintendent of Police,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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