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Crl.OP.No29282 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29282 of 2025

Balakumar

... Petitioner

Vs.

State rep by
The Inspector of Police
Thiruttani Police Station,
Tiruvallur District.
(Cr.No.484 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.484 of 2025 pending on the file of the respondent.

For Petitioner : Mr.S.Anbarasan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.09.2025, for the alleged offence punishable under Sections 123 and 278 of BNS in Cr.No.484 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 27.09.2025 at about 2.30 p.m., when the defacto complainant who is the Sub Inspector of Police, based on the discreet information was in surveillance near Tiruttani Railway Station opposite, the petitioner was found in possession of 100 MG Tapentedol tablets 200 Nos and Nitrazepam tablets 5 mg 44 tablets, totally 244 tablets, worth about Rs.17,500/- which were meant to be sold on the prescription of physician. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner was arrested on 27.09.2025 and the petitioner is not having any previous case. He further submitted that the petitioner is ranked as A1 and prays to grant bail on the ground that the contraband seized i.e., Nitrazepam is not a commercial quantity and 200 Tapentedol tablets is neither a Narcotic Drugs or Psychotropic Substance.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioner is ranked as A1 and he is not having any previous case and investigation is also pending. He further reported that the narcotic drugs



seized from the petitioner is an intermediate quantity in Serial No.221 of the Table issued in relation to the Narcotic Drugs and Psychotropic Substance.

Hence, he opposed for grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case and period of incarceration undergone by the petitioner and taking note of the fact that the contraband seized is an intermediate quantity, I am 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thirutanni** 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 report before the learned Judicial Magistrate, Thirutanni on all working dates at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;

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

[d] the petitioner shall not directly or indirectly cause any threat to the defacto 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]**;



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

03.11.2025

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.

To

1. The **Judicial Magistrate, Thirutanni**
2. The Inspector of Police
Thiruttani Police Station,
Tiruvallur District.
3. The Sub Jail, Tiruvallur.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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