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Crl.O.P.No.29612 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31-10-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.29612 of 2025

Rahul

... Petitioner/ A1

Vs

The State rep. by,
The Station House Officer,
Kitchipalayam Police Station,
Salem District.
(Crime No.310 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.310 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. W. Camyles Gandhi

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.10.2025 for the offences punishable under Section 123 of BNS in Crime No.310 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 09.10.2025 based on a secret information, the respondent police went to the spot and found that the petitioner and other accused were in illegal possession of 10 Tapentadol Hydrochloride -100 mg tanydol tablets and 10 Tapentadol 100 mg Aspadol tablets. 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 09.10.2025; that the tablets alleged to have been seized from the petitioner is not a narcotic substance; 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.

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 4 accused involved in this case and the petitioner is arrayed as A1; that total of 20 nos. of Tapentadol tablets were seized from the petitioner; that the petitioner has no previous antecedents; that the seized tablets are not scheduled drugs; and that the investigation of this case is pending.

5. Considering the facts and circumstances of the case, the petitioner has no previous antecedents, the seized contraband from the petitioner is not a narcotic drugs or psychotropic substances 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Salem** 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



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of the identity proofs to ensure their identity;

[b] **the petitioner shall stay at Thiruvannamalai and report before the learned Judicial Magistrate-I, Thiruvannamalai daily at 10:30 a.m., until further orders;**

[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.

31.10.2025

stn

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



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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,
Salem.
2. The Judicial Magistrate-I,
Thiruvannamalai.
3. The Station House Officer,
Kitchipalayam Police Station,
Salem District.
(Crime No.310 of 2025)
4. The Superintendent,
Central Prison, Salem.
5. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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