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Crl.O.P.Nos.29591 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.29591 of 2025

1. Mangesh Kedar Shejwal
2. Syed Inaiyathulla Muhammed Sheik
3. Pradeep Yeshwanth Kadam

... Petitioners/ A4 to A6

Vs

The State of Tamil rep. by,
The Inspector of Police,
Prohibition Enforcement Wing (PEW),
Arakkonam Police Station,
Ranipet District.
(Crime No.70 of 2025)

... Respondent

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in Crime No.70 of 2025 registered on the file of the respondent police.

For Petitioner(s) : Mr. V. Ramamurthy
For K. Bommuraj

For Respondent(s) : Mr. E. Raj Thilak
Additional Public Prosecutor



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ORDER

The petitioners herein, who were arrested and remanded to judicial custody on 21.09.2025 for the offences punishable under Section 123 of BNS r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act altered to Sections 111 and 123 of BNS r/w Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.70 of 2025, registered on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 13.09.2025, based on a complaint from Assistant Sub Inspector of Police, CIB, Chennai, the respondent conducted inspection in Train No.12163 (LTT-MAS) running between TRT-AJJ Railway Station; that thereby, they found two accused persons/ A1 & A2 were involved in illegal possession of 148 strips of 100mg Tapentadol tablets; that upon further investigation and from the confession statements of A1 and A2, it is revealed that they had purchased the aforesaid drugs illegally from Sara Medical Store near Nagpada Junction in Mumbai for the purpose of selling the same to minors, school students and drug abusers illegally for their personal gain; that thereafter,



the first petitioner herein/ A4, who was the Salesman of the said Sara Medical Store was summoned under Section 35 BNSS to appear for enquiry on 21.09.2025; that in the enquiry, it is revealed that the accused persons were involved in large-scale illicit sale and diversion of Tapentadol Tablets in violation of the Section 65 of the Drugs and Cosmetics Rules, 1945 to yield high profits; that further the petitioners herein colluded together and have carried a bulk quantity of 15000 Tapentadol Tablets (100mg) from Maharashtra to the state of Tamil Nadu for illegal sales. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that on 19.09.2025 itself these petitioners were taken to custody illegally and the CCTV footages recorded reveal that these petitioners were taken from Mumbai, however their arrest was shown at Arakkonam with the recovery of 15,000 numbers of Tapentadol Tablets, as if they travelled to Arakkonam, hence a false case has been lodged against these petitioners and they are in judicial custody since 19.09.2025; and that the petitioners are ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioners.



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4. The learned Additional Public Prosecutor appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and reported that the CCTV footage produced before this Court is not sufficient to hold that on 21.09.2025 the petitioners were brought to Arakkonam and the case was registered; that the petitioners were asked to appear before the respondent police on 21.09.2025 and for that purpose summons were also served on them, however on investigation, it is revealed that the petitioners were involved in illegal in large-scale illicit sale and diversion of Tapentadol Tablets 100mg (15,000 nos.) in violation of the Section 65 of the Drugs and Cosmetics Rules, 1945 from Maharashtra to Tamil Nadu to yield high profits; that the total quantity of Tapentadol Tablets 100 mg involved in this case is 16,480 nos.; that the bail application of the co-accused in Crl.O.P.No.29178 of 2025 was dismissed by this Court, vide order dated 31.10.2025; and that the investigation of the case is pending.

5. I have considering the submissions made on both sides and perused the materials available on record.



6. Though the seized contraband does not fall within the schedule of the NDPS Act, it is alleged that the contraband seized has been misused for intoxication and supplied to students and various other persons. Considering the fact that huge numbers of Tapentadol Tablets were involved, the investigation of the case is pending and if the petitioners were released on bail, it would hamper the investigation process, hence this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this criminal original petition stands dismissed.

11.11.2025

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K. RAJASEKAR, J.

stn

To

1. The Inspector of Police,
Prohibition Enforcement Wing (PEW),
Arakkonam Police Station,
Ranipet District.
(Crime No.70 of 2025)
2. The Public Prosecutor,
High Court of Madras.

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