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Crl.O.P.No.3027



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.11.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30278 of 2025

Inbaraj

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Kitchipalayam Police Station,
Salem District.
(Crime No.322 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.322 of 2025 pending investigation on the file of the Respondent police.

For Petitioner : Mr.W.Camyles Gandhi

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.10.2025, for the alleged offence punishable under Section 123 of BNS Act in Crime No.322 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused found in possession of 10 Tapentadol Hydrochloride Tablets each 100 mg and those tablets are not scheduled drugs under NDPS Act. 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 17.10.2025 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.



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

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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner and no bad antecedents reported, 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 – II, Salem*, 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter 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

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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.

06.11.2025

rna

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

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- 1.The Judicial Magistrate – II, Salem.
- 2.The Inspector of Police,
Kitchipalayam Police Station,
Salem District.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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