



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31323 of 2025

Prathap

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
(Crime No.336 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.336 of 2025 pending investigation on the file of the Respondent police.

For Petitioner : Mr.S.Dheerendran

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

ORDER



The petitioner, who was arrested and remanded to judicial custody on 30.09.2025, for the alleged offence punishable under Section 123 of BNS r/w 77 of JJ Act, 2005, in Crime No.336 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that, this petitioner is ranked as A1, he joining with other two accused involved in transportation and possession of 104 tablets (not in schedule drug under the Education Act). Hence he was arrested on 30.09.2025.

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 30.09.2025 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 submitted that investigation is not concluded, the petitioner is not having any previous cases and co-accused already released on bail and if the petitioner is granted bail there is likelihood of indulge in similar activities. Hence, he



strongly opposed for grant of bail to 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 submissions of the learned counsel on either side and the period of incarceration from 30.09.2025 and admittedly the petitioner is not having any previous cases and property also recovered and the properties is not a schedule drug under NDPS Act, and 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.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned X Principal District and Sessions Judge, Tiruvannamalai*, 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 X Principal

District and Session Judge, Tiruvannamalai daily at 10.30 a.m.,

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[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.

17.11.2025

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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 X Principal District and Sessions Judge, Tiruvannamalai.
2. The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
3. The Superintendent of Prison,
Sub Jail, Tiruvannamalai.
4. The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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