



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 32727 of 2025

Dilip Kumar

... Petitioner/A2

Versus

The State represented by
The Inspector of Police
Tiruchengode Town Police Station
Namakkal District
Crime No. 355 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No.355
of 2025 on the file of respondent police.

For Petitioner : Mr.M.Vijayaragavan

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

ORDER



The petitioner, who was arrested and remanded to judicial custody on 03.10.2025, for the offences punishable under Sections 123 of BNS, 2023 (Old Corresponding Section 328 of IPC) in Crime No. 355 of 2025 registered on the file respondent police, seeks bail.

2.The allegation against the petitioner is that the petitioner was found in possession of 1000 numbers of Tapantadol Hydrochloride tablets and was arrested and remanded to judicial custody. Hence the case.

3. The learned Counsel for the petitioner submits that the petitioner has no previous case, the contraband has already been seized, and the contraband seized is not falls within the schedule of NDPS Act. He further submits that the petitioner is ready to abide any condition imposed by this Court and sought for bail to the petitioner.



4.The learned Government Advocate [Criminal Side] appearing for the respondent police, reiterated the case of the prosecution and submits that there are three accused in this case. The petitioner along with other accused had imported the tablets from Rajasthan through Courier to Chennai and A1 in this case is yet to be apprehended, and the investigation still pending. Hence, he opposed for grant of bail to the petitioner.

5.Though earlier this Court dismissed the bail application on the ground that the petitioner was arrested recently, now, the petitioner is incarceration nearly 60 days and it is also reported that the petitioner is not having any previous case, I am 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**, for a like sum to the satisfaction of the **learned Judicial Magistrate Court, Tiruchengode, Namakkal District**, 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] that the petitioner shall report before the respondent police daily at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 3rd petitioner in accordance with law as if the aforementioned conditions have been



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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.

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MSM

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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.



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To

1.The Judicial Magistrate Court,
Tiruchengode, Namakkal District.

2.The Central Prison, Salem.

3.The Public Prosecutor
High Court of Madras.

4.The Inspector of Police
Tiruchengode Town Police Station
Namakkal District
Crime No. 355 of 2025.



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K.RAJASEKAR J.

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