



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35590 of 2025

Prakash

S/o. Mr. Bose, No.294, Venkateswara
Theatre Near, Vallnanathapuram,
Avaniyapuram, Madurai-625012. (Date
of Arrest 24-11-2025)

Petitioner(s)

Vs

The State

Rep by Inspector of Police
T22-Medavakkam Police Station,
Chennai.
Crime No.209/2025

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Bail arrested in
Crime No.209 of 2025 on the file of respondent police.

For Petitioner(s): Mr.Sathiyalingam

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
24.11.2025, for the alleged offences punishable under Sections 123 of BNS, Act
2023 r/w 77 of Juvenile Justice (Care and Protection) Act, 2015 in Crime
No.209 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that based on the secret information, the respondent police conducted a search and found that the petitioner along with other accused persons were in illegal possession of 319 Tapentadol tablets. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has no role in the alleged offence. He would submit that he has been falsely implicated in this case. He would further submit that the petitioner was arrested and is in judicial custody from 24.11.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally three accused in this case. He submitted that petitioner along with other accused were in illegal possession of Tapentadol tablets. He would also submit that from this petitioner, 107 Tapentadol tablets were recovered. He also submitted that no previous case is pending against the petitioner. However, he opposed to grant bail to the petitioner.

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



6. Considering the rival submissions made by the learned counsel on either side, the nature of the offences and the contraband recovered from this petitioner is not a scheduled drug and also considering the period of incarceration undergone by the petitioner and also the fact that no previous case is pending against this petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Tambaram, Chennai**, and on further conditions that:-

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 30 days and thereafter, as and when required for interrogation.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial



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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26.12.2025

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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 Judicial Magistrate,
Tambaram, Chennai.
- 2.The Inspector of Police,
T22-Medavakkam Police Station, Chennai.
- 3.The Superintendent,
Puzhal Central Jail. Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.
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