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CRL OP No. 35857 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35857 of 2025

1.Parthiban

2.Nithish kumar

Petitioner(s)

Vs

The State Rep By Its,
The Inspector of Police, T-22 Medavakkam Police
Station, Chennai Crime No.209 of 2025.

Respondent(s)

PRAYER

The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail pertaining to Crime No.209 of 2025 on the file of the respondent police pending investigation on the file of respondent police.

For Petitioner(s): Mr.M.Rakhi

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

ORDER

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



2. It is the case of the prosecution is that the petitioner along with the other accused were found in illegal possession of 319 Tapentadol Tablets (100mg). Hence, the case.

3. The learned counsel for the petitioners would contend that the respondent police have registered a false case against the petitioners and they were arrested and remanded to judicial custody on 24.11.2025. According to the prosecution, the petitioners had illegally possessed 319 Tapentadol Tablets (100mg). In fact, the petitioners are innocent and he has not committed any offence as alleged by the prosecution. This case has been foisted against the petitioners for statistical purpose. Therefore prayed to grant of bail to the petitioners.

4. The learned Government Advocate (criminal side) would submit that this case was registered as against the petitioners for the illegal possession of 319 Tapentadol Tablets (100mg) and that the second petitioner has one previous case of similar nature. However, he strongly opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record.



6. Taking into consideration of the facts and circumstance of the case and submissions made by the learned counsels, nature of offences and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute 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 **Learned Judicial Magistrate-II, Tambaram**, and on further conditions that:

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of one month;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[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 B.N.S.2023.

26-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

Jeni/rpl

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 official website of this Court will be watermarked and will also have a QR code.



To

1.The Judicial Magistrate-II, Tambaram

2.The Superintendent, Puzhal Central Jail.

3.The Public Prosecutor, Madras High Court, Chennai.

4.The Inspector of Police, T-22
Medavakkam Police Station, Chennai.



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P.DHANABAL J.

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