



CRL OP(MD)No.13899 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.09.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.13899 of 2025

Santhosh

... Petitioner

Vs.

State of Tamil Nadu,
Represented by the Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
(Crime No.232 of 2025)

... Respondent

For Petitioner : Mr.K.M.Karunakaran

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :-

For Bail in Cr.No. 232 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/Accused No.5, who was arrested and remanded to judicial



CRL OP(MD)No.13899 of 2025

custody on 03.08.2025 for the offences punishable under Sections 123 of BNS, 2023 and 21(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.232 of 2025, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the respondent police seized tablet sheets containing each 15 tablets of tapal er 50, 1 number of tablet sheet containing 11 tablets of tapa-er 50 and 6 number of syringe with needles from the accused persons. Hence, the petitioner was remanded and is under judicial custody from 03.08.2025. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 03.08.2025. Further, he submitted that the tablets will not come under the Narcotic drugs as per the order passed by the Hon'ble Supreme Court in Criminal Appeal No.1558 of 2025, dated 28.03.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail on the ground that the investigation is still pending.



CRL OP(MD)No.13899 of 2025

WEB COPY

5. Considering the facts and circumstances and considering the duration of the custody and based on the order of the Supreme Court cited supra, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 learned Judicial Magistrate No.1, Thanjavur, and on further conditions that,

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall do social service at the Government Hospital, Thanjavur, for a period of one month. Thereafter, the petitioner shall report before the respondent Police as and when required;

c) the petitioner shall not tamper with evidence or witness;

d) the petitioner shall not abscond during 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



CRL OP(MD)No.13899 of 2025

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 of BNS.

sd/-
10/09/2025

/ TRUE COPY /

10/09/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tmg

TO

- 1 The Judicial Magistrate No.I,
Thanjavur.
- 2 Do Through
The Chief Judicial Magistrate,
Thanjavur District.
- 3 The Officer Incharge,
Sub Jail,
Thanjavur.
- 4 The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.



CRL OP(MD)No.13899 of 2025

5 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-9874[I] dated 10/09/2025)

ORDER
IN
CRL OP(MD) No.13899 of 2025
Date :10/09/2025

NM/10.09.2025/ 5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023