



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 562 of 2026

R. Selvarasu

Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Hasthampatty Police Station, Salem
City. Cr.No.406 of 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in
Cr.No.406 of 2025 on the file of Hasthampatty Police Station, Salem City.

For Petitioner(s): Mr.B.Bharath Kumar
for M/sKv Law Firm

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
15.12.2025 for the alleged offences under Sections 8(c), 20(b) (ii) (A) of
Narcotic Drugs & Psychotropic Substances Act, 1985 r/w Section 24(1) of
Cigarette and Other Tobacco Products Act, 2003 and Section 42 of Prisons Act,



1894 and Section 123 of BNS Act, in Crime No.406 of 2025 on the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that the petitioner was working as a Second Grade Warden in the Central Prison, Salem and using the assistance of visitors, he used to collect narcotic drugs including ganja and other things and used to supply the same to the inmates and accordingly on 28.11.2025, the Officers of the prison have noted two pouches in possession of the petitioner herein and on search they found the following items (a) cellphone – 3Nos (b) VI Sim Card -1 No (c) Ganja – 0.79 grams (d) Hans – 0.22 grams (e) Tablets – 0.33 grams (f) OCP Paper – 3 Nos, however he was not immediately arrested and the complaint was lodged in this regard.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and now the petitioner has been transferred to some other prison and he has surrendered and under incarceration. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. Hence, he



prayed for dismissal of this petition.

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5. Considering the fact that the petitioner has surrendered and is in judicial custody since 15.12.2025, and he has already been suspended from service, and also considering the period of incarceration, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Principal Sessions Judge, Salem**, 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] the petitioner shall report before the respondent police daily at 10.30 a.m., for the period of two 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 petitioner in accordance with



law as if the aforementioned 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)13 SCC 283]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

09-01-2026

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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.State Rep.by, The Inspector of Police,
Hasthampatty Police Station, Salem
City. Cr.No.406 of 2025.
- 2.The Principal Sessions Judge, Salem.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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