



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13229 of 2026

Sanjay Kumar
S/o. Kubendran, No.190, East
Namachivayapuram, Choolaimedu,
Chennai-600 094.

Petitioner/Accused

Vs

The State Rep. by Inspector of Police
F-5, Choolaimedu Police Station,
Chennai. Crime No.229/2026

Respondent/Complainant

PRAYER

Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.229 of 2026 pending investigation on the file of the respondent-police.

For Petitioner(s): Mr.S.M. Raghu Ram

For Respondent(s): Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



2. The petitioner/Accused was arrested and remanded to judicial custody on 28.04.2026 for the alleged offences punishable under Section 123 of BNS 2023, in Crime No.229 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner sold the narcotic tablet to the victims and the victims suffered from severe symptoms and were admitted as an inpatient in the hospital for 5 days and after treatment they were discharged. Based on the said allegations against the petitioner, the present FIR has been registered.

4. Mr.S.M.Raghu Ram, 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. He further submits that there is no recovery from the petitioner and he is in judicial custody from 28.04.2026. However he submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays to grant bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, the learned Government Advocate (Criminal Side) appearing for the respondent-police submits that the petitioner had sold the narcotic tablet to the victims and the victims suffered from severe symptoms and were admitted as an inpatient in the hospital for 5 days and after



treatment, they were discharged. The petitioner is having one previous case of similar nature and the investigation is yet to be completed. The learned Government Advocate (Criminal Side) raised a strong objection to grant bail to the petitioner. Accordingly, he prays to dismiss the petition.

6. Heard on both sides. This Court has perused all the materials available on record.

7. The petitioner was arrested on 28.04.2026. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case, the offence alleged against the petitioner, this Court is of the view that further custody of the petitioner is not necessary in this case. Hence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the XVII Metropolitan Magistrate, Saidapet at Chennai.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal



Rules of Practice, 2019']. The learned XVII Metropolitan Magistrate, Saidapet at Chennai, shall obtain a copy of any one of their identity proof to ensure their identity.

(iii) The petitioner shall appear and sign before the XVII Metropolitan Magistrate, Saidapet at Chennai, daily at 10.00 a.m. until further orders.

(iv) The petitioner shall furnish his residential address and mobile numbers to the learned XVII Metropolitan Magistrate, Saidapet at Chennai.

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(vii) 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The petitioner shall also not directly or indirectly, cause any threat



to the defacto complainant, victims, and witnesses.

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(ix) The petitioner shall not enter into the defacto complainant's house or his work place.

(x) The petitioner shall not try to contact the defacto complainant, victims, and witnesses either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the XVII Metropolitan Magistrate, Saidapet at Chennai, or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

20-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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CRL OP No. 13229 of 2026





To

1. The XVII Metropolitan Magistrate, Saidapet at Chennai.
2. The Superintendent of Prison, Puzhal Jail-II.
3. The Inspector of Police
F-5, Choolaimedu Police Station,
Chennai. Crime No.229/2026
4. The Public Prosecutor Office, High Court, Madras.



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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CRL OP No. 13229 of 2026



R.SAKTHIVEL J.

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**CRL OP No. 13229 of
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20-05-2026