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CRL OP No. 13947 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 13947 of 2026

Monisha

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
Vellore North L and O Police Station,
Vellore District.
Crime No.75 of 2026

..Respondent(s)

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioner on bail in connection with Crime No.75 of 2026 on the file of the Respondent Police and pass such other further orders as this Court may deem fit in the interest of justice

For Petitioner(s): Mr.D.Balaji

For Respondent(s): Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.03.2026 for the alleged offence punishable under Sections 111 and 123 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.75 of 2026 on the file of the



respondent police, seeks bail.

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2. The case of the prosecution is that on receiving secret information, the respondent police conducted a raid, during which the petitioner was found in possession of prohibited Tapentadol tablets. According to the prosecution, the petitioner was involved in selling these tablets, and a total of 430 tablets were recovered from the spot. Pursuant to the investigation, the petitioner was arrested and remanded in judicial custody. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is a woman and is innocent of the alleged offences. He further submits that the petitioner has been in continuous incarceration since 19.03.2026. He also submits that the co-accused (Accused No.2) in this case has already been released on bail by this Court on 21.04.2026 in Crl.O.P.No.9980 of 2026, and therefore, the petitioner seeks bail on the grounds of parity.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police opposes the grant of bail to the petitioner, highlighting the recovery of 430 prohibited Tapentadol tablets. However, he does not dispute the factum of the release of the co-accused, A2, on bail via Crl.O.P.No.9980 of 2026.



5. I have given my anxious consideration to the submissions made by the learned counsel on either side.

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6. Though the learned Government Counsel objects to the bail application, this Court takes into consideration the fact that the petitioner is a woman and has suffered a long period of incarceration since 19.03.2026. Taking note of the totality of the facts and circumstances of the case, and particularly the fact that the co-accused has already been enlarged on bail by this Court, this Court is inclined to extend parity and allow the bail application.

7. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.IV, Vellore and subject to the following conditions:

[a] 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 Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before respondent Police daily at 10:30 a.m. and 05:30 p.m., for a period of 30 days and thereafter as and when required for interrogation;

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



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[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Index: Yes/No

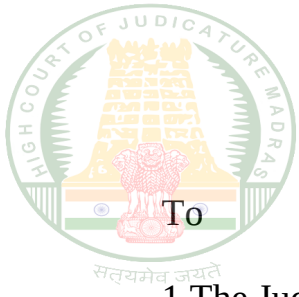
Speaking/Non-speaking order

Neutral Citation: Yes/No

Jeni

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 No.IV, Vellore.

2.The Superintendent, Special Prison for Women, Vellore.

3.The Inspector of Police, Vellore North L and O Police Station,
Vellore District.

4.The Public Prosecutor, High Court of Madras, Chennai.

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C.KUMARAPPAN, J.

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