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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP Nos. 30677 and 30680 of 2026

CNR: {HCMA012473272026}

In Crl.O.P.No.30677 of 2026

Santhosh R
S/o Rajasekar,
No.157/2B, J N Road,
Gandhipuram, Thiruvallur District.

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
B1-Thiruvallur Town Police Station,
Thiruvallur District.
Crime No.411 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the Petitioners on bail in the event of their arrest in connection with in Cr.No.411 of 2026 on the file of the Respondent Police and thus render justice.

For Petitioner(s): Sasikumar R
For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

In Crl.O.P.No.30680 of 2026

Akash
S/o Rajasekar,
No.157/2B,J N Road,
Gandhipuram, Thiruvallur District.

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
B1-Thiruvallur Town Police Station,
Thiruvallur District.

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Crime No.411 of 2026.

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PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the Petitioners on bail in the event of their arrest in connection with in Cr.No.411 of 2026 on the file of the Respondent Police.

For Petitioner(s): Sasikumar R
For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

COMMON ORDER

The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable under Sections 123, 274, 275 of BNS r/w.25(1)(a) of Arms Act, in Crime No.411 of 2026, seek anticipatory bail.

2. The case of the prosecution is that on 08.09.2026, acting on secret information, the respondent police intercepted the accused and found them in possession of 1,000 tablets of Tapentadol Hydrochloride (100 mg), valued at approximately Rs.45,000/-, without any valid medical prescription or permit. The police arrested co-accused Kumar and Nizamuddin, who are arrayed as A2 and A3 respectively in this case. Based on their confession statements, the petitioners herein have been arrayed as A1 and A5. Hence, the case was registered.

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3. The learned counsel for the petitioners would submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. He further submitted that the co-accused were granted bail by the Court below. Therefore, he prays for grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the quantity involved in this case is very high and there are seven previous cases against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to the submissions made on either side and perused the materials available on record.

6. It is seen that the petitioners herein have been arrayed as A1 and A5 solely based on the confession statements of the co-accused. The relevant portion of the said confession statement reads as follows: " போதை மாத்திரை இருந்தால் கொடுங்கடா என்று சந்தோஸ் அவரது தம்பி ஆகாஸ் யிடம் கேட்ட போது ஆகாஸ் என்பவர் மாத்திரைகளை எடுத்து வருகிறேன் என்று கூறிவிட்டு சென்றார். " It is further seen that the co-accused (A2 and A3), from whom the contraband tablets were actually

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recovered, have already been arrested and enlarged on bail. Admittedly, no recovery has been effected from the present petitioners, and they have been implicated blindly on the strength of the co-accused's confession.

7. Considering the aforesaid facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Thiruvallur,** on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only),** with **two sureties each,** for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) **The petitioners shall report before the respondent**

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police daily at 10:30 a.m. for a period of two weeks and thereafter as and when required for interrogation. ;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the second and third petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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

MPA

To

1. The Judicial Magistrate-I, Thiruvallur.

2. The Inspector of Police
B1-Thiruvallur Town Police Station,
Thiruvallur District.
Crime No.411 of 2026.

3. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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