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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32187 of 2026

CNR: {HCMA012638342026}

Sanjay

Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
R-9, Valasaravakkam Police Station,
Chennai District.
Crime no.742 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime no.742 of 2026 on the file of the Respondent.

For Petitioner(s): P.Muthamizhselvakumar

For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.10.2026 for the alleged offence under Sections 278, 123 of BNS r/w. Section 77 of JJ Act in Crime No.742 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.10.2026, acting on secret information, the respondent police conducted a raid near Pillaiyar Temple,

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Karambakkam, and allegedly found six persons, including the petitioner, selling Tapentadol tablets to students. The police seized 45 tablets, an autorickshaw, and Rs. 800/- from them. Hence, the present case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, no recovery of contraband was effected from him, and he has no previous cases pending against him. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and, therefore, prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail. Upon instructions, he reiterated the prosecution case but conceded that the tablets were recovered only from the other co-accused, that no recovery was made from this petitioner, and that the petitioner has no adverse antecedents.

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

6. Considering the submissions made on both sides, the overall facts and circumstances of the case, and the period of incarceration undergone by the petitioner, and noting specifically that no recovery was effected from him and

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that the quantity involved does not attract commercial thresholds, this Court is inclined to enlarge the petitioner on bail, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Poonamallee,** 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., until further orders;

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

[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 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];**

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

04-11-2026

MPA

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-I, Poonamallee

2. The Inspector of Police
R-9, Valasaravakkam Police Station,
Chennai District.
Crime no.742 of 2026.

3.The Superintendent, Central Prison,
Puzhal-II.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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CRL OP No. 32187 of 2026

04-11-2026

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