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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34126 of 2026

Sureshkumar,
S/o.Rajendran,
Kurumpalamahadevi Village,
Ellanthakuttai, Cholzhasiramani,
Paramathivelur Taluk,
Namkkal District-638 008. ...Petitioner/Accused No.5

Vs

The State Represented By,
The Inspector of Police,
Karungalpalayam Police Station,
Erode. ...Respondent/Complainant
(Crime No.247 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with the Crime No.247 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.D.Padmanabhan

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

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 23.10.2026 for the alleged offence under Section 123 of BNS Act, in Crime No.247 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that, based on secret information, the respondent police conducted a raid at Vairapalayam near Bleaching Pattarai and found the petitioner along with other accused in possession of 2,100 Tapentadol tablets (100 mg). The petitioner was allegedly found in possession of 50 Tapentadol tablets (100 mg) intended for illegal sale. Hence, a case was registered against the petitioner and the contraband was seized by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 23.10.2026. He also further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner, along with the other accused, was found in possession of 2,100 Tapentadol tablets (100 mg) intended for illegal sale. He further submitted that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

6. Considering the nature of the allegations, the quantity of contraband allegedly seized, and the fact that the contraband has already been secured by the respondent police, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, **(among two sureties, one should be a blood surety and one should be a local surety)** for a like sum to the satisfaction of the **learned Judicial Magistrate No.1, Erode,** 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 twice 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 pass appropriate orders against the petitioner in acc 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];**

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

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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.1,
Erode.

2.The Inspector of Police,
Karungalpalayam Police Station,
Erode.

3.The Superintendent,
Gopichettipalayam Prison.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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