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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34818 of 2026

Hariprasanna,
S/o.Vengatesan,
12A, Anandan Nagar 3rd Street,
Sri Nagar Colony,
Srinivasapuram, Thanjavur Taluk,
Thanjavur District.
PIN 613306. ...Petitioner/Accused No.2

Vs

The State Rep.by
The Sub-Inspector of Police,
Sembanarkoil Police Station,
Mayiladuthurai District. ...Respondent/Complainant
(Crime No.515 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.515 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.D.Jaganathan

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 20.10.2026 for the alleged offence under Section 123 of BNS, in Crime No.515 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that the petitioner was found in possession of 20 tablet strips of TAPGARD-100 (Tapentadol Tablets 100 mg) each containing 10 tablets with the intention to sell. Hence, the case.

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 20.10.2026. He also further submitted that the co-accused had already been arrested and released on bail by the Trial Court in Crl.M.P.No.1914 of 2026, dated 05.11.2026 and 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 petitioner was found in possession of 20 tablet strips of TAPGARD-100 (Tapentadol Tablets 100 mg) each containing 10 tablets with the intention to sell. He further submitted that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

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6. Considering the facts and circumstances of this case and the period of custody, 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**, for a like sum to the satisfaction of the **learned District Munsif Cum Judicial Magistrate, Tharangambadi,** 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., 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;

[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

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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.

25-11-2026

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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 District Munsif Cum Judicial
Magistrate, Tharangambadi

2.The Sub-Inspector of Police,
Sembanarkoil Police Station,
Mayiladuthurai District.

3.The Superintendent,
Sub Prison, Nagapattinam.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

nvi

CRL OP No. 34818 of 2026

25-11-2026

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