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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

DATED: 23.10.2026

PRESENT

THE HON'BLE DR.JUSTICE P.MURUGAN

CRL OP(MD) No. 24107 of 2026

CNR:{HCMD011528062026}

Abishek

..Petitioner

Vs

State of Tamilnadu
Rep. by The Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
(Crime No.451 of 2026)

..Respondent

For Petitioner : Mr.A.Arun Prasad,
Advocate

For Respondent : Mr.N.Balasubramanian
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Section 483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.451 of 2026 on the file of the Respondent Police.

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ORDER : The Court made the following order:-

The petitioner / A1, who was arrested and remanded to judicial custody on 12.09.2026 for the offences punishable under Sections 123 and 278 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.451 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on secret information, the respondent police were conducting surveillance near Thanjavur East Gate AV Road, where they found the petitioner and the other accused carrying a bag. On seeing the respondent police, the petitioner and the other accused tried to escape. However, the respondent police apprehended them and found 200 prohibited tablets, namely, TAPENTADOL, in the possession of the petitioner. The petitioner and the other accused confessed that they had ordered the same online and received them through Professional Courier Service for sale to others.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 12.09.2026.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner has two previous cases under the NDPS Act and other offences and that the co-accused (A2) had already been enlarged on bail by this Court in Crl.O.P.(MD) No.21856 of 2026 *vide* order dated 28.09.2026.

5. Though the petitioner was granted bail in two earlier cases, considering the fact that the co-accused (A2) was also granted bail by this Court on 28.09.2026 and taking into account the period of incarceration of 40 days, this Court is inclined to grant bail to the petitioner, subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur and on further conditions as follows:-

[a] The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] On execution of the surety, the accused is directed to appear before the learned Judicial Magistrate No.I, Thanjavur for a period of 30 working days at 10.30 am. Thereafter, the accused

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shall appear before the said Court on every Wednesday at 10.30 am for a period of 10 weeks;

[c] In the event that the accused is unable to appear before the said Court, the counsel for the accused may file accused absence petition on behalf of the accused under Section 355 of BNSS and the same may be considered by the Court;

[d] In the event that neither the accused appear nor his counsel file any such accused absent petition, the Court has to issue a Non Bailable Warrant against the accused and secure him and commit him to custody;

[e] If the accused thereafter absconds, a fresh FIR shall be registered under Section 269 BNS, 2023;

[f] If the investigating agency requires the presence of the accused, after the execution of the bail bond, the Investigating Officer has to issue a summons to the accused for interrogation. However, the interrogation should not amount to harassment of the accused. The issuance of the summons to the accused and the interrogation of the accused should be reflected in the CD file as well as in the General Diary. The said exercise shall be done by the Investigating Officer at once or twice during the daytime. Once the purpose of the interrogation is over, the accused shall be sent out from the police station without any further delay;

[g] On compliance of the above conditions for appearance of the accused all the conditions referred above shall stand relaxed;

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

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[i] The petitioner shall not abscond either during investigation or trial;

[j] On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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)AIR SCW 5560].**

23.10.2026

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

JEN

To
1. The Judicial Magistrate No.I, Thanjavur

2. The Inspector of Police,
   Thanjavur Town West Police Station,
   Thanjavur District.

3. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

4. The prison in-charge,
   SubJail, Thanjavur.

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DR.P.MURUGAN, J.

JEN

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