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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-11-2026

CORAM

THE HON'BLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD) No. 25230 of 2026

CNR:{HCMD011586562026}

1. Prakash

2. Godwin Prabhakar

..Petitioners/
Accused Nos.1 & 2

Vs

The State of Tamilnadu Rep by
The Inspector of Police,
Palakkarai Police Station,
Trichy City.
Crime No.253 of 2026

..Respondent/
Complainant

PETITION FOR BAIL Under Section 483 BNSS.

Prayer : For Bail in Crime No.253 of 2026 on the file of the Respondent Police.

For Petitioner(s) :Mr.K.M.Karunakaran,
Advocate

For Respondent(s) :Mr.C.Susikumar,
Government Advocate (Crl. Side)

ORDER

The petitioners / accused 1 and 2, who were arrested and remanded to judicial custody on 30.09.2026 for the offences punishable under

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Sections 123 and 278 BNS, in Crime No.253 of 2026, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 30.09.2026, the petitioners were found in illegal possession of 100 tapentadol hydrochloride tablets. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 30.09.2026.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that 100 tapentadol hydrochloride tablets was recovered from the joint possession of the petitioners. He would further submit that the first petitioner is having 5 previous cases, in which, 4 cases similar in nature and that the second petitioner is not having any previous cases.

5. At this juncture, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw this petition as against the first petitioner and he has also made an endorsement to that effect. Hence,

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this Criminal Original Petition is dismissed as withdrawn as against the first petitioner.

6. The learned counsel appearing for the petitioners would submit that the second petitioner, without prejudice to his rights, is ready to deposit the amount that may be imposed by this Court.

7. Considering the above facts and circumstances and taking note of the fact that the second petitioner is ready and willing to deposit the amount that may be imposed by this Court and also the facts that the second petitioner is in judicial custody from 30.09.2026 and that the second petitioner is not having any previous cases for similar offence, this Court is inclined to grant bail to the second petitioner subject to the following conditions:

8. Accordingly, the second 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 Judicial Magistrate No.V, Trichy, and on further condition that:

a) the sureties shall affix their photographs and left thumb impression

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in the surety bond and the Magistrate / concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the second petitioner shall deposit a sum of **Rs.5,000/- (Rupees Five Thousand Only)** as non-refundable deposit to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court. The second petitioner shall execute the sureties on showing the receipt of the said amount;

c) the second petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

d) the second petitioner shall not tamper with the evidence or witness either during investigation or trial;

e) the second petitioner shall not abscond either during investigation or trial;

f) On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner is released

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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].***

g) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

04-11-2026

CSM

To

1. The Judicial Magistrate No.V, Trichy.
2. Do through the Chief Judicial Magistrate, Trichy.
3. The Officer-in-Charge, Central Prison, Trichy.
4. The Inspector of Police,
   Palakkarai Police Station,
   Trichy City.
5. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

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K.MURALI SHANKAR, J.
CSM

CRL OP(MD) No. 25230 of 2026

04-11-2026

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