
(2025) 12 MAD CK 0033

Madras HC

Case No: Criminal Original Petition No. 32887 Of 2025

Adhithiya @ Adithya

APPELLANT

Vs

State

RESPONDENT

Date of Decision: Dec. 2, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023-Section 111, 123, 269

Hon'ble Judges: K. Rajasekar, J

Bench: Single Bench

Advocate: J. Prakasam, A.Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 14.10.2025, for the offences punishable under Sections 111 and 123 of BNS Act, 2023 in Crime No. 210 of 2025 registered on the file respondent police, seeks bail.

2.The case of the prosecution is that on 13.10.2023, midnight at 1.00 am, based on a secret information, the respondent police went near Vellore Contentment Railway Station and found that A1 was in illegal possession of 54 TADOLIC 100 Mg (Tapentadol tablets); that based on his confession, A2 to A5 were arrested and 20 numbers of TADOLIC 100 Mg (Tapentadol tablets) were seized from A2 & A3 each; that based on the confession of the arrested accused, A6 was arrested and 10 numbers of TADOLIC from him 100 Mg (Tapentadol tablets) were seized; that upon the confession of A6, the petitioner herein/A120 and other accused persons/A7 to A9 were arrested; that from A7, 100 numbers of TADOLIC 100 Mg (Tapentadol tablets) were seized; that upon further investigation, it is revealed that it is a case of syndicate involved in interstate supply of Tapentadol tablets from Bihar to Tamil Nadu for the purpose of illegal sales to various college going students and general public, by misusing for intoxication, by diluting the crushed Tapentadol tablets in alcohol or water and injecting the solution using syringe needles. Hence this case.

3.The learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is in judicial custody from 14.10.2025; that no contraband was seized from the petitioner herein; and that the petitioner is ready to abide any condition imposed by this Court and sought for bail to the petitioner.

4.The learned Government Advocate [Criminal Side] appearing for the respondent police while opposing the bail to the petitioner, reiterated the pro prosecution case and submits that it is the case of syndicate and network involved in illegal supply of Tapentadol tablets from Bihar to Tamil Nadu and selling the same to general public and youths for monetary gain; that there are totally 16 accused involved in this case and the petitioner is arrayed as A5; that the co-accused A11 to A16 are still absconding; and that the investigation of the case is pending.

5.Considering the earlier bail application of the petitioner was dismissed on the ground that some of the co-accused still absconding; that the period of incarceration of the petitioner from 14.10.2025; that the investigation is pending; that the petitioner is not having any previous antecedents; that though some of the co-accused are still absconding, I am inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate Court, Katpadi, 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] that the petitioner shall report before the respondent police daily at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 3rd 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];

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