

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,  
SALEM

Present: Tmt.S.Sumathy, M.L.,  
Principal Sessions Judge,  
Salem.

Tuesday, this the 10<sup>th</sup> day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.610/2026  
(CNR.No.TNSA010012372026)

Karthik Raja (23), S/o Kesavan ... Petitioner/Accused No.1.  
Vs

State by: The Inspector of Police,  
Kannankurichi P.S.  
Cr.No.34/2026. ... Respondent / Complainant.

This petition is filed on 06.03.2026 u/s 483 of BNSS, to grant bail to the petitioner.

This petition is coming on this day for hearing before me, in the presence of Thiru.A.K.Chandrasekar, Counsel for the petitioner and the Public Prosecutor for the respondent, after perusing the averments, this Court delivered the following:

ORDER

1) Heard both side and records perused. The petitioner is the accused in Cr.No.34/2026 of Kannankurichi PS. The petitioner, who was remanded to judicial custody on 04.02.2026 for the alleged offences u/sec.123 of BNS, has come forward with this petition seeking to release him on bail.

2) The case of the prosecution is that on 04.02.2026 at about 15.00 hrs., when the defacto complainant and his police team were in patrolling near Tasty Juice Park Shop, Gorimedu, Salem, the petitioner and another accused were found in possession of 20 tablets of Tapentadol Hydrochloride Tablets 100 mg, which cause intoxication. During enquiry, the accused stated that they purchased the said tablets from Mumbai for

selling purpose to others. By knowing the fact that without consulting the doctor, if a person intake the Tapentadol tablets, it will cause death, the accused supplied the said tablets to others. Hence this case.

3) The learned Counsel for the petitioner has submitted that the petitioner has not committed any offence and he is falsely implicated in this case. He further has submitted that the co-accused A-2 was already granted bail by the Hon'ble High Court, Madras in CrI.O.P.No.4237/2026 dated:20.02.2026 and produced a copy of the order for perusal of this Court. He further has submitted that there is no previous case against the petitioner and for the past 35 days, the petitioner is in judicial custody and prayed to enlarge the petitioner on bail.

4) On the other hand, the learned Public Prosecutor has reiterated the facts of the case and strongly objected to release the petitioner on bail stating that the investigation is pending and prayed for dismissal of the petition.

5) In the stated circumstances, considering the fact that the co-accused A-2 has already been enlarged on bail by the Hon'ble High Court, Madras in CrI.O.P.No.4237/2026 dated:20.02.2026 and considering the incarceration period of the petitioner, this Court is inclined to grant bail to the petitioner on the following conditions:

1. that the petitioner is ordered to be released on bail on his executing a bond for **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.IV, Salem;
2. that 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;

3. that the petitioner shall appear and sign before the respondent/police daily at 10.00 a.m., until further orders (for a minimum period of 30 days) and on further condition that he shall make available himself for interrogation as and when required by the investigation Officer;
4. that the petitioner shall not tamper with evidence or witness either during investigation or trial;
5. that the petitioner shall not abscond either during investigation or trial;
6. that 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 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);
7. If the accused thereafter absconds, a fresh FIR can be registered u/sec.269 of BNS.

In the result, this petition is allowed.

Pronounced by me in Open Court, this the 10<sup>th</sup> day of March, 2026.

Principal Sessions Judge,  
Salem.

Copy to the Judicial Magistrate No.IV, Salem.  
Copy to the Supdt. of Jail in which the accused is confined.  
Copy to the Inspector of Police, Kannankurich P.S.