



CrI.O.P.No.22537 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

CrI.O.P.No.22537 of 2024

Ahamed Ibrahim @ Ahamed

...Petitioner/Accused No.6

Vs.

State represented by
The Inspector of Police,
B-1 North Beach Police Station
Chennai District.
Cr.No. 37 of 2024

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Cr.No. 37 of 2024 on the file of the respondent police and in C.C.No. 621 of 2024.

For Petitioner : Mr. V.Purushothaman

For Respondent : Mr.S.Vinothkumar
Government Advocate (CrI. Side)



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Crl.O.P.No.22537 of 2024

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.07.2024 for the offences under Sections 8(c), read with 22(c), 25, 29(1) of Narcotic Drugs and Psychotropic Substances Act, in Crime No.37 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 50 grams of Methamphetamine, which is a commercial quantity. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case and he is a law-abiding citizen and he is ready to furnish substantial sureties for his due release on bail; therefore, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the



Crl.O.P.No.22537 of 2024

respondent police submitted that the petitioner along with other accused were found in possession of 50 grams of Methamphetamine, which is a commercial quantity and hence he objected to grant bail to the petitioner. He further submitted that no recovery has been made from this petitioner and there is no previous case against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and considering the nature of offences and the contraband was recovered only from the prime accused/A-1 and based on the confession of the co-accused, this petitioner has been implicated and that there is no previous case against the petitioner for the similar kind of offences and also considering the period of incarceration underwent by the petitioner, I am inclined to grant bail to the petitioners, subject to the following conditions:

[a]. 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**



CrI.O.P.No.22537 of 2024

only) with two sureties, each for a like sum to the satisfaction of the court of *Principal Special Court under EC & NDPS Act, Chennai*, and on further conditions that:

[b] the petitioner shall report before the learned Principal Special Court under EC and NDPS Act, Chennai, on all working days at 10.30 a.m. until further orders;

[c] The petitioner shall attend in accordance with the conditions of the bond;

[d] The petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[f] the petitioner shall not directly or indirectly make any



Crl.O.P.No.22537 of 2024

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inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with evidence;

[g] 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]; and

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the BNS.

20.09.2024

vsg

P.DHANABAL, J.

vsg

To

1. Principal Special Court under EC & NDPS Act, Chennai.



Crl.O.P.No.22537 of 2024

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2. Central Prison, Puzhal, Chennai.

3. The Inspector of Police,
B-1 North Beach Police Station
Chennai District.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.22537 of 2024

20.09.2024