



*Crl.O.P.Nos. 71, 89, 111 & 154 of 2025*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM

**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.Nos. 71, 89, 111 & 154 of 2025

Mohammed Riyaz Ali

... Petitioner in  
Crl.O.P.No.71/2025

1. Azaruddin  
2. Nawaz Mohamed

...Petitioners in  
Crl.O.P.No.89/2025

Ali Khan Thuklak

...Petitioner in  
Crl.O.P.No.111/2025

Syed Zaki

...Petitioner in  
Crl.O.P.No.154/2025

Vs.

The State rep. by  
The Inspector of Police,  
V3 – JJ Nagar Police Station,  
Chennai.  
(Crime No. 728 of 2024)

... Respondent in  
all the Crl.O.P.s

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/accused on bail in Crime No. 728/2024 on the file of the respondent Police.



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For Petitioners

In Crl.O.P.No.71/2025 :: Mr.C.Sivakumar

In Crl.O.P.No.89/2025 :: Mr.P. Thinesh

In Crl.O.P.No.111/2025 :: Mr.S.Kingston Jerold

In Crl.O.P.No.154/2025 :: Mr.M.S. Syed Jaffer

For Respondent in

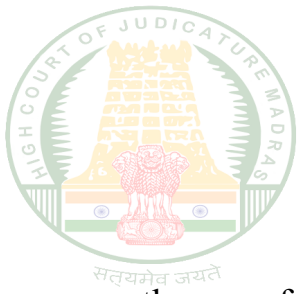
all Crl.O.Ps

:: Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

### **COMMON ORDER**

Petitions seeking bail in respect of Crime No.728 of 2024 registered for the offences punishable under Sections 8(c) r/w 22(c), 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 is on board for consideration.

2.The incarceration of the respective petitioners being from 04.11.2024, 08.12.2024, 04.12.2024 & 03.12.2024, pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the respective petitioners seeks indulgence of this Court. They also submit that the petitioners are implicated in this case only based on the confession statement of the main accused. They also submit that the petitioners are in their twenties and other than



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they are friends of the main accused, they have no connection, whatsoever with the main accused. Further, even as per the the prosecution the alleged contraband said to have been recovered from the petitioners are either small or intermediate quantity and they do not have any bad antecedents and the rigors of Section 37 of NDPS Act does not operate against the petitioners. They also submit that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.**10,000/- each** to any welfare scheme of the Government or any other organization.

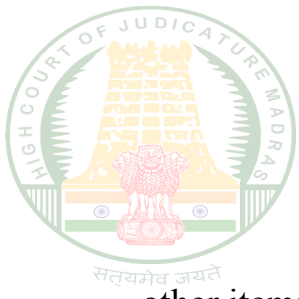
3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that on 03.11.2024, on receipt of information from police informer about illegal transport of narcotic substances, the Sub-Inspector of Police attached to V-3, JJ Nagar Police Station, went along with police party and arrested the petitioners, who are A-12, A-18, A-19, A-11 and A-14 on various dates. During the course of investigation, no recovery was made from A-12, A-11 and A-14, who are petitioners in Crl.O.P.Nos. 71, 111 & 154 of 2025 respectively, whereas from A-18, OG Ganja 60 gms and from A-19, OG Ganja – 350gms were recovered.



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4.The learned Government Advocate further submits that during the investigation, it was revealed that the petitioner was purchasing contraband from other states and attempting to sell it in Tamil Nadu, particularly to college students. Based on the confession of A-1, the respondent arrested A-2, Aravind Balaji, and A-3, Vatsal, on 04.11.2024, seizing 48 MDMA tablets, a Samsung 23 Ultra phone from A-2, and 80 LSD stamps, a mobile phone from A-3. The accused were remanded to judicial custody. He further submits that on 06.11.2024, following the confessions of A-1 to A-3, A-4, Mohammed Ghouse, and A-5, Jainnullapudhin, were arrested, with 1.1 kg of ganja and 8 grams of OG ganja seized. A-6, Hari Shankar, and A-7, Aruni Raj, were arrested on 09.11.2024, with electronic items and LSD stamps seized. He further submits that A-8, Dharun Sha, was arrested on 11.11.2024, with 300 grams of ganja and a Poco cell phone seized. On 30.11.2024, A-9, Zidan Mohammed Zabin, and A-10, Hasif K.E., were arrested with ganja oil, mobile phones, and methamphetamine. He further submits that on 03.12.2024, A-11, Alikhan Thuklak, who had frequent contact with A-9, was arrested. Digital evidence linked him to the purchase and distribution of OG ganja. A-12 to A-17 were arrested between 04.12.2024 and 08.12.2024, with various contraband and electronics seized. On 08.12.2024, A-18, Navas Mohammed, and A-19, Asaruddin, were arrested, with OG ganja and



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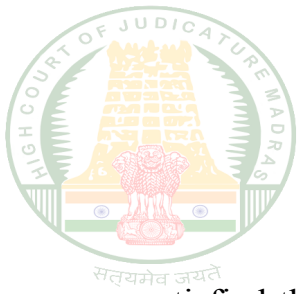
other items seized.

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5.Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) **each** to the credit of the "**MANASU, CSB Bank, Pallavaram Branch, A/C.No.024404406764190001 IFSC : CSBK0000244.**" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

6.Though it is stated by the prosecution that the contraband recovered from the main accused is a commercial quantity, as far the petitioners in Crl.OP.Nos.71, 111 & 154 of 2025 are concerned, they were not arrested on the same date and place and they were arrested subsequently, based on the confession statement of the main accused and further the contraband alleged to have been recovered from them is either small or intermediate quantity.

7.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the fact that the petitioners have



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satisfied the twin conditions as contemplated under Section 37 of NDPS Act and considering the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioners are ordered to be released on bail on each of them executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambattur and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**[b] the petitioners shall report before the respondent Police, everyday at 06.30 p.m., until further orders;**

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the



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conditions have been imposed and the petitioners 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]***;

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

07.01.2025

sai

To

1. The Judicial Magistrate,  
Ambattur.
2. The Inspector of Police,  
V3 – JJ Nagar Police Station,  
Chennai.
3. The Superintendent,  
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA., J.**

*sai*

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