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Crl.O.P.No.1702 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 17.06.2025

PRONOUNCED ON : 25.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.1702 of 2025

Veera Selvam @ Selvam

... Petitioner/A4

Vs.

The State of Tamil Nadu,
Rep by the Intelligence Officer,
Narcotics Control Bureau,
Chennai.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with R.R.No.69/2023 in NCB F.No.48/1/26/2023-NCB/MDS, pending investigation on the file of the respondent.

For Petitioner : Mr.Y.Kanishkar Rao

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor



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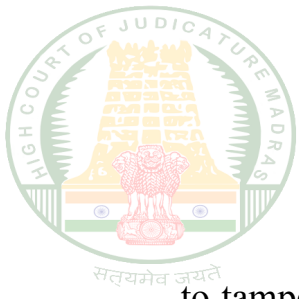
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ORDER

The petitioner arrested and remanded to judicial custody on 24.12.2023, for offence punishable under Sections 8(c) r/w 21(c), 22(c), 28 and 29 of NDPS Act in connection with R.R. No.69 of 2023 in NCB F.No.48/1/26/2023-NCB/MDS, registered on the file of the respondent, seeks bail.

2.The petitioner earlier filed a bail petition before this Court in Crl.O.P.No.10672 of 2024 and the same was dismissed by this Court on 28.06.2024 for the reason that the petitioner was in possession of commercial quantity of Narcotic substance.

3.The contention of the learned counsel for petitioner is that the petitioner has not committed any offence and he has been falsely implicated in this case. The petitioner has no bad antecedents. He undertakes to cooperate with the respondent police and there is no possibility of petitioner



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to tamper with any evidence or witnesses. The petitioner has got deep social root and will not evade justice. The petitioner primarily raised his grounds for bail disputing the seizure in House No.4/410, MGR Street, PT Murthy Nagar, Redhills, Chennai – 600 052 on 21.12.2023. The case projected by the prosecution is that the respondent had come to the house at MGR Street, PT Murthy Nagar and at that time the petitioner is said to have opened the door and revealed his name as Veera Selvam @ Selvam. Along with the petitioner one Joseph Justin Paul resident of Shastri Nagar, Vysarpadi and one aged person Saravanan @ Samy resident of Redhills were in the house. On enquiry they produced possession of Meth (kal) and a lady opened the door from another room. On questioning, she revealed her name as Bhuvaneswari, who is the wife of the petitioner. Further, the petitioner's daughter, son and father also residing in the house. Thereafter following Section 50 of NDPS Act search conducted and 1.823 kgs. of white colour crystal substance believed to be amphetamine, which was kept inside a carton box, found. On further



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questioning, the said Joseph Justin Paul revealed about receiving the contraband by three of them from one Chintamani of Redhills.

4.The further contention of the petitioner is that the petitioner was a tenant under one S.Suresh, S/o.Shanmugam at No.3/95, Mondiyamman Koil Street, Redhills, Chennai – 600 052 for a monthly rent of Rs.8,000/- for the period from 31.08.2022 to 30.07.2023. The house at Door No.4/410, MGR Street, PT Murthy Nagar, Redhills was let out to one Venkatesan. The petitioner had produced a copy of the lease agreement entered between the petitioner and the said Venkatesan. As per the lease deed, the Venkatesan took possession on 29.04.2023 by paying Rs.2,50,000/- as lease amount. Further the petitioner had produced G-pay receipts for March, May, July, September, November, 2024 and January, March, May, 2025 and the Gas LPG bill dated 12.01.2025, 04.05.2024 to substantiate his claim that he is not residing in the address at MGR Street on the date of seizure on 21.12.2023. He further produced Aadhar Card of one K.Venkatesan, S/o.Kumaravel.



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5.The learned counsel further relied upon the decision of the Hon'ble Apex Court in the case of *Mohd, Muslim Alias Hussain vs. State (NCT of Delhi)* reported in *(2023) 18 SCC 166* for the point that the *prima facie* to be seen that the accused may not be guilty based on a reasonable reading of the materials, which does not call for meticulous examination of the materials collected during investigation, hence, he may be granted bail. He further relied upon the decision of the Punjab and Haryana High Court reported in *2025 SCC OnLine P & H 94* for the reason that the trial has failed to conclude within a reasonable time resulting in prolonged incarceration.

6.The learned Special Public Prosecutor filed his counter submitting that on 21.12.2023, based on the specific information that one person namely Joseph Justin, aged around 35 years resident of Sastri Nagar Vysarpadi and his associate Munna Singh are procuring 02 Kgs of Meth from a lady named Chintamani, resident of Sastri Nagar, Vysarpadi and the same will be



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delivered to Veera Selvam @ Selvam and Saravanan at the resident of VeeraSelvam @ Selvam's house at No-4/410, MGR Street, PT Murthy Nagar, Red Hills, Chennai at around 17:00 Hrs on 21/12/2023. Subsequently, the search of said premises at Red Hills was undertaken on 21.12.2023 in the presence of 2 Independent witness, whereby 3 persons, namely Joseph Justin Paul, Saravanana @ Samy and Veera Selvam were found in the said premises. On enquiry, all the three persons informed that around 2 kg of Meth was kept in that premises, further, all of them handed over two green coloured shining parcels containing white crystalline substance believed to be Amphetamine. The net weight of the seized contraband was found to be 1.823 kgs. Joseph Justin Paul informed that additional quantity of 3 kg of Meth was available at Chintamani's residence who is the main supplier of the seized 1.823 kgs. of methamphetamine. In view of the revelations by Joseph Justin Paul, the officers of NCB, Chennai proceeded to the residence of Chintamani on 22.12.2023. On search, Chintamani voluntarily handed over



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three green coloured shining parcels, containing white coloured crystalline substance believed to be Amphetamine. The net weight of the seized contraband was found to be 2.978 kgs.

6.1. He further submitted that all the above named 04 persons, Chintamani (A-1), Saravanan @ Samy (A-2), Joseph Justin Paul (A-3) and VeeraSelvam (A-4) were summoned to appear at NCB office, Ayapakkam and their voluntary statements under Section 67 of the NDPS Act, 1985 was recorded on 22.23/12/2023, wherein they inter alia admitted their guilt and the role played by each of them in the conspiracy involving procurement, possession and trafficking of the seized 4.801 kg (1.823+2.978) white crystalline substance believed to be Amphetamine. On the basis of their voluntary statements and the material objects seized on 21.12.2023 and 22.12.2023. Chintamani (A-1), Saravanan @ Samy (A-2), Joseph Justin Paul (A-3) and Veera Selvam (A-4) who have individually committed offences under Section 8(c) r/w Sec. 21(c), 22(c), 28 and 29 of NDPS Act, 1985 and



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the accused were at 20:00 hrs, 20:20 hrs, 20:40 hrs and 21:00 hrs on 23.12.2023 respectively. Accordingly, the intimation letter is also sent to their family members.

6.2. He further submitted that the averments made in Para 04-05 are totally false. The petitioner is not innocent, he has not been falsely implicated in this case. Based on the specific information officers of the NCB Chennai Zonal Unit searched Veera Selvam A-4 [petitioner's] house at house No-4/410, MGR Street, PT Murthy Nagar. Red Hills. Chennai at around 17:00 Hrs on 21/12/2023 and recovered 1.823 gms of Methamphetamine in the presence of 2 independent Witnesses. Veeraselvam [A-4] is a habitual offender but he never came under the clutch of law, during investigation it came to light that NCB Chennai Zonal Unit seized 3.056 Kg's of methamphetamine from the possession of one Sanjay khan S/o. Ismat Basha, at Egmore railways station on 17/11/2023 and seized Rs 50,13,840/- (Rupees Fifty Lakhs Thirteen thousand Eight hundred and forty only) and 6 bars of

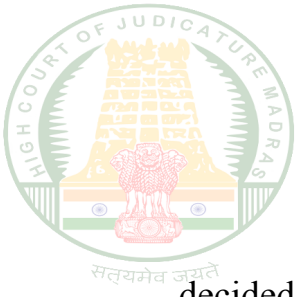


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Gold. In his statement Sanjay Khan revealed that Veera Selvam[A-4] supplied methamphetamine several times to him and his friend Thameen for further delivery to a person named Asgar of Srilanka. He is a frequent buyer of methamphetamine from Veeraselvam[A-4] and others. There are lot of evidence against the petitioner that the contraband was seized from the possession and from his own house in the presence of 2 independent witnesses. Apart from that lot of phone calls were made by the petitioner to the accused person in this case.

6.3. He further submitted that the petitioner is raising a new plea that he was not a resident at House No.4/410, MGR Street, P.T.Murthy Nagar, Redhills, Chennai. On the directions of this Court an enquiry was conducted, the Venkatesan was summoned by the respondent. The said Venkatesan, S/o.S.Kumaravel appeared before the respondent on 05.06.2025 and gave statement that he is presently residing at No.4/410, MGR Street, PT Murthy, Redhills, Chennai. On 12.01.2023 his father Kumaravel passed away. So he

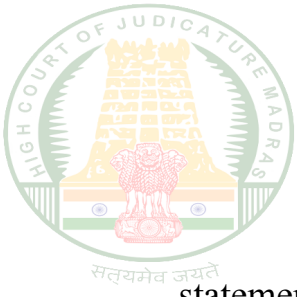


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decided to shift to a new house and through brokers found the house at MGR Street and later entered into a lease agreement for one year with Veera Selvam for 11 months from 29.04.2023 to 29.03.2024. He had also paid lease amount. Later the prohibit informed that till one year period after the death of the father shifting from the old address is not proper. Hence, Venkatesan continued to stay in his old house at 1/2205, Solaiamman Koil 5th Cross Street, Gandhi Nagar, Redhills, Chennai – 52 and he moved to MGR Street, PT Murthy Nagar only on 14.01.2024 during Pongal festival and thereafter only residing there paying EB charges through Phonepay for the consumer No. 0945571463 and till date Venkatesan making payment and staying there. The statement and G-pay history for electricity bill produced.

7.Considering the submission made and on perusal of the material and the present materials collected by the respondent it is seen that the stand taken by the petitioner using a created document to take advantage of the earlier lease agreement entered between Venkatesan and petitioner. The



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statement of Venkatesan confirms he started residing at MGR Street, PT Murthy Nagar, from January, 2024 and paying EB bill from March, 2024.

Thus seizure on 21.12.2023 cannot be doubted at this stage. Further the seizure mahazar dated 21.12.2023 is signed by the petitioner, Veera Selvam, co-accused/Joseph Justin Paul/A3 and Saravanan @ Samy/A2 from whom contraband seized in presence of witnesses. Further the prosecution notice under Section 50 of NDPS Act, Seizure Mahazar and search notice, summon under Section 67 of NDPS Act and other contemporary documents confirm, the search and seizure made in presence of petitioner, co-accused and witnesses in the house No.4/410, MGR Street, PT Murthy Nagar, Red Hills, Chennai-600052. Added to it, statement under Section 67 of NDPS dated 23.12.2023 disclosed all details, reached the Court immediately on the next day on 24.12.2023. Thus there is no *prima-facie* material doubting the prosecution case. Further the documents produced by the petitioner appears fabricated expose the petitioner's criminality.



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8. In view of the above, this Court is not inclined to entertain this bail petition and the same is dismissed.

25.06.2025

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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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To

1.The Intelligence Officer,
Narcotics Control Bureau,
Chennai.

2.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

rsi

**Pre-delivery order in
Crl.O.P.No.1702 of 2025**

25.06.2025