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Crl.O.P.No.1213 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM

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

Crl.O.P.No.1213 of 2025

Tufail Islam

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
J-5 Sasthri Nagar Police Station,
Chennai District.

(Crime No.239 of 2024).

... Respondent

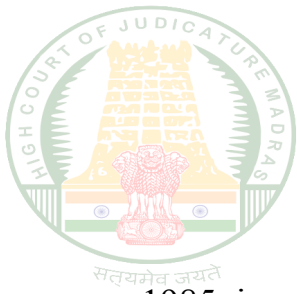
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.239 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Muthamizhselvakumar

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

ORDER

Petition seeking bail in respect of Crime No.239 of 2024 registered for the offences punishable under Section 8(c) r/w Section 22(b) of the NDPS Act,



Crl.O.P.No.1213 of 2025

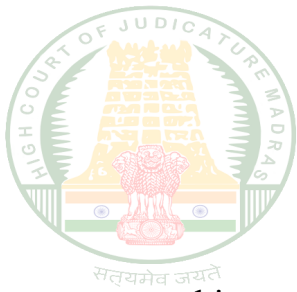
1985, is on board for consideration.

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2. The incarceration of the petitioner being from 24.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He submits that the contraband involved is an intermediate quantity and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

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 the petitioner was found to be in possession of 1.36 grams of Heroin and 3.21 grams of Methamphetamine. He would submit that there is no previous case against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and taking note of the fact that there is no previous case against the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail



on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties, of which one shall be a blood related surety from Assam, who shall furnish his/her proof of permanent residence in Assam,** each for a like sum to the satisfaction of the learned **IX Metropolitan Magistrate Court, Saidapet,** 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner 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 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]***;



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Crl.O.P.No.1213 of 2025

A.D.JAGADISH CHANDIRA.,J.

Anu

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

21.01.2025

Anu

To

1. The IX Metropolitan Magistrate Court, Saidapet
2. The Inspector of Police,
J-5 Sasthri Nagar Police Station,
Chennai District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1213 of 2025