



CRL OP NO. 1476 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1476 of 2025

HASIF

Petitioner(s)

Vs

The State Represented By
Inspector Of Police, V3-J.J.Nagar Police Station,
Chennai.

Respondent(s)

For Petitioner(s):

Mr.S.Thiruvengadam

For Respondent(s):

Mr.Leonard Arul Joseph Selvam

Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.728 of 2024 registered for the offences punishable under Sections 8(c) r/w 22(c) and 29(1) of NDPS Act altered to 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 petitioner being from 30.11.2024, pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the



respective petitioner seeks indulgence of this Court. He also submit that the

implicated in this case only based on the confession statement of the main accused. He also

submit that the petitioner is in their twenties and other than that he is friend of the main

accused, he has no connection, whatsoever with the main accused. Further, even as per the

the prosecution the alleged contraband said to have been recovered from the petitioner is

either small or intermediate quantity and he do not have any bad antecedents and the rigors of

Section 37 of NDPS Act does not operate against the petitioner. He also submit that the

petitioner, without prejudice to the defence and contention, are ready and willing to deposit a

sum of Rs.10,000/- 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 petitioner on 30.11.2024. During the course of investigation, no

recovery was made from the petitioner, whereas from A18, OG Ganja 60 gms and from A-19,

OG Ganja – 350gms were recovered.

4.The learned Government Advocate further submits that during the investigation, it was



revealed that the petitioner was purchasing contraband from other states and 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 05.11.2024, 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 other items seized.

5.Considering the voluntary submission made by the learned counsel for the petitioner, the



petitioner are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) 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

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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 petitioner is concerned, he was not arrested on the same date and place and he was 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 petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the fact that the petitioner have satisfied the twin conditions as contemplated under Section 37 of NDPS Act and considering the period of incarceration undergone by 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 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 I Additional Special Judge, NDPS Court and on further conditions that:



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[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 06.30 p.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]*;

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

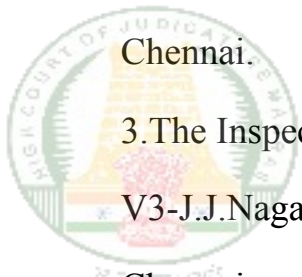
23-01-2025

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To

1. I Additional Special Judge, NDPS Court

2 The Central Prison, Puzhal,



Chennai.

3.The Inspector Of Police,

V3-J.J.Nagar Police Station,

Chennai.

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4. The Public Prosecutor, High Court of Madras.



A.D.JAGADISH CHANDIRA.,J.

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