



Crl. O.P. No.4091 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4091 of 2025

Yazar Arafath S/o. Jaheer Hussain

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
E-2 Royapettah Police Station,
Chennai.
(Crime No.4 of 2025).

... Respondent

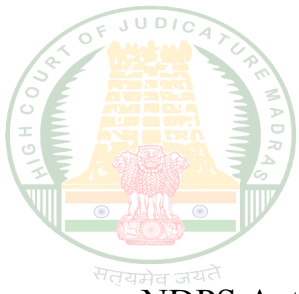
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.4 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S. Sathish Rajan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.01.2025, seeking bail in Crime No.4 of 2025 registered for the offence under Sections 8(c) read with 22(b) of the



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NDPS Act.

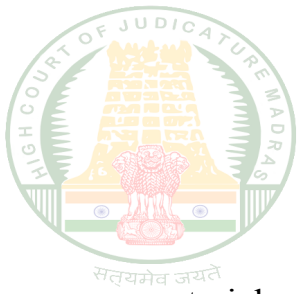
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2. The case of the prosecution is that on secret information, with regard to illegal sale of Ganja near New College, Peters Road, Royapettah, Chennai, the respondent police went to the spot and found the accused in illegal possession of 5 tablets of MDMA Tablets, weighing about 2.25 grams.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent; that he has not at all involved in any offence; that he has been falsely implicated in this case based on the confession of the co-accused; that he is no way connected with the co-accused; that he has no previous cases and that he is in judicial custody for more than one month and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has no previous case.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the



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materials available on record.

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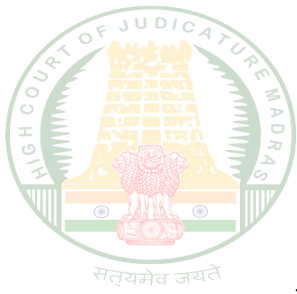
6. Considering the nature of allegations, period of incarceration, the fact that the contraband seized is intermediate quantity, there is no previous case against the petitioner and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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**, each for a like sum to the satisfaction of the learned **Principal Special Court under the EC & NDPS Act, Chennai.**

[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, daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during



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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 B.N.S.

18.02.2025

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To

1. The Principal Special Court under the EC & NDPS Act, Chennai
2. The Inspector of Police, E-2 Royapettah Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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