



Crl.O.P.No.6985 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6985 of 2025

Naleem Fadi

... Petitioner/A11

Vs.

The State represented by,
The Inspector of Police,
Choolaimedu Police Station,
Anna Nagar Police Station,
Chennai.
(Crime No.37 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.37 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.J.F.Vijay Prakesh

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 31.01.2025, seeking bail in Crime No.37 of 2025 registered for the offence under Sections 8(c) read with Section 22(b) and 25 of NDPS Act, 1985.



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2. The case of the prosecution is that the petitioner along with other accused were found in possession of 58.93 grams of cocaine, 1.550 kgs of ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that there is no seizure from the petitioner; that petitioner sought to be implicated based on the confession of the other accused; that co-accused have been granted bail by this Court and in any case, petitioner is in custody from 31.01.2025 and hence the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that there is no previous cases against the petitioner and also confirmed the the fact that no seizure was made from the petitioner.

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



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6. Considering, the fact that no seizure was made from the petitioner and that the rigors of Section 37 of NDPS Act would not be applicable; the fact that co-accused have been granted bail by this Court; period of incarceration; the fact that the petitioner has no bad antecedents; and since further custody 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 **EC and NDPS Court, 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, everyday at 10.30 a.m., until further orders;

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



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[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.

12.03.2025

Sma
To

1. EC and NDPS Court, Chennai.
2. The Inspector of Police,
Choolaimedu Police Station,
Anna Nagar Police Station,
Chennai.
3. The Superintendent,
Sub Jail, Saidapet.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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