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Crl.O.P.No.10576 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10576 of 2025

Mohammed Sugil @ Mohammed Suhail

... Petitioner/ Accused No.9

Vs.

The Inspector of Police,
D-2 Anna Salai Police Station,
Triplicane, Chennai District.
(Crime No.116 of 2025)

... 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.116 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr.A.Tamilselvan

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested under PT warrant and remanded to judicial custody on



Crl.O.P.No.10576 of 2025

09.03.2025, seeking bail in Crime No.116 of 2025 registered for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 22(b), 25 & 29(1) NDPS Act, 1985.

2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found that the petitioner and other accused were in illegal possession of 1.244 kgs of ganja, 6 grams of OG ganja and 14 Nos. of MDMA Tables weight 8 grams; that the confession statement of the first accused revealed that the petitioner also involved in the said offence. Hence the case.

3.Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that no recovery of contraband was made from the petitioner and he is sought to be implicated as an accused based on the confession of the co-accused and that the petitioner is in custody from 09.03.2025 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



CrI.O.P.No.10576 of 2025

petitioner is sought to be implicated as an accused based on the confession statement of co-accused; that the contraband has been seized and the petitioner has one previous case.

5. Considering the nature of allegations, period of incarceration, the fact that no recovery was made from this petitioner and contraband was seized from co-accused and based on their confession, the petitioner is sought to be implicated as an accused 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.

6. 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 **II Metropolitan Magistrate Court, Egmore** 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;



CrI.O.P.No.10576 of 2025

WEB COPY

[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]*;

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

08.04.2025

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CrI.O.P.No.10576 of 2025

WEB COPY

To

1. The II Metropolitan Magistrate,
Egmore.
2. The Inspector of Police,
D-2 Anna Salai Police Station,
Chennai District.
3. The Superintendent,
Central Prison Puzhal-II.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.10576 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.10576 of 2025

08.04.2025