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Crl.OP.No.11510 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 29.04.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

**Crl.O.P.No.11510 of 2025**

Muneeb

.. Petitioner/Accused

Vs.

The State rep by  
The Inspector of Police,  
PEW, Adyar Unit, Chennai.  
(Crime No.479 of 2024)

.. Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in C.C. No.249 of 2024 on the file of learned II Additional Special Court for NDPS Act cases at Chennai.

For Petitioner : Mr.R.Rafi Babu  
For Respondent : Mr.J.R.Archana  
Government Advocate(Crl.Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 10.02.2025, seeking bail in Crime No.479 of 2024 registered for the offence under Sections 8(c) r/w 20(b)(ii)(B), 22(c), 29(1) and 25 of NDPS Act, 1985.



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2. The case of the prosecution is that based on secret information, the first and second accused were intercepted by the respondent and they were found in illegal possession of 1.100 kgs of ganja, 34 Rose Colour MDMA Ecstasy Tablets 15.30 grams and 290 grams of OG ganja; that on their confession, it was revealed that they have purchased the said contraband from A3 and thereafter, handover the same to the petitioner for sale and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that no recovery was made from the petitioner; that he sought to be implicated only on the confession of the co-accused; that he has no bad antecedents; that his daughter suffered from serious ailments and also produced scan copy of his daughter and prayed for grant of bail.

4. The learned Government Advocate appearing for the respondent police reiterated the prosecution case and confirmed the fact that no recovery was made from the petitioner and that the contraband seized from the co-accused is commercial quantity; that the petitioner is sought to be implicated only on the confession of the co-accused and that the final report



has already been filed.

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5. Admittedly, no contraband was seized from the petitioner. The petitioner is sought to be implicated on the confession of the co-accused. There is no material other than the confession statement of the co-accused to implicate the petitioner. The petitioner has no bad antecedents. Though commercial quantity of contraband was seized from the co-accused, this petitioner has satisfied the twin conditions under Section 37 of NDPS Act. Hence, 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 Additional Special Judge for NDPS Act case at Chennai** 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;



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**[b] the petitioner shall report before II Additional Special Judge for NDPS Act cases at Chennai 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 B.N.S.

29.04.2025

Index : Yes / No  
Internet : Yes / No  
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- 1.The Inspector of Police,  
PEW, Adyar Unit, Chennai.
- 2.The II Additional Special Judge for NDPS Act cases  
Chennai.
- 3.The Superintendent of Prison,  
Central Prison-II, Puzhal.
- 4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**  
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