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Crl.O.P.No.16574 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.16574 of 2025

Abdul Ganee

.. Petitioner

Vs.

Union of India rep by  
The Intelligence Officer  
NCB, Chennai  
R.R.No.5 of 2025

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in R.R.No.5 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.S.Sivasekar

For Respondent : Mr.R.Vinoth Raja  
Government Advocate (Crl.side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 19.03.2025, for the offence punishable under Sections 9(A) r/w Section 23, 25(A), 28 and 29 of NDPS Act, 1985 in R.R.No.5 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that on 23.01.2025, based on secret information, the respondent conducted an investigation at DHL office, Chennai and seized a parcel containing 1.5 Kgs of Pseudoephedrine. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 19.03.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that petitioner is arrayed as A4 and he was arrested on 19.03.2025. He also submits that co-accused/A1 to A3 in this case were enlarged on bail by this Court in Crl.O.P.Nos.7025, 7052 and 8315 of 2025.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, considering the period of incarceration undergone by the petitioner and also considering the



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fact that co-accused in this case were enlarged on bail, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned **Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs 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 make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this



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regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

**04.07.2025**

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**Note:**

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Special Court for Trial of Narcotic Drugs and Psychotropic Substances  
Act Cases, Chennai

2. The Intelligence Officer  
NCB, Chennai

3. The Superintendent,  
Central Prison Puzhal-I.

4. The Public Prosecutor,  
High Court, Madras.



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**M.NIRMAL KUMAR, J.**

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