



Crl.O.P.No.17953 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17953 of 2025

S.Inayadhullah

... Petitioner

Vs.

The State represented by
The Inspector of Police,
D-1, Triplicane Police Station,
Chennai.

Crime No.323 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.323 of 2025 on the file of the respondent.

For Petitioner : Mr.R.Asokan

For Respondent : Mr.A.Gokulakrishnan

Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
15.05.2025, for the offence punishable under Section 194 r/w 105 BNS Act,
in Crime No.323 of 2025, registered on the file of the respondent, seeks bail.



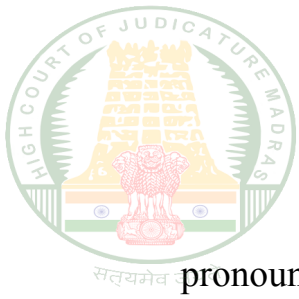
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2.The case of the prosecution is that the petitioner, one Iniadulaa and the deceased Mohidheen were friends. On 14.05.2025 around 10.50 p.m. deceased Mohidheen had inserted drugs through syringe and later he suffered a fix. Immediately he rushed to hospital, there he was pronounced brought dead. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the deceased Mohidheen due to his own habits of drug addiction had excessively injected drugs and he is the reason for his own death. The petitioner is in judicial custody from 19.05.2025 and hence, further custody of the petitioner is not required Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner, one Iniadulaa and the deceased Mohidheen were friends. On 14.05.2025 around 10.50 p.m. Mohidheen had inserted drugs through syringe and later he suffered a fix. Immediately he rushed to hospital, there he was



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pronounced brought dead. Later the petitioner informed the same to the parents of the deceased. Initially a case under Section 194 of BNSS was registered and later the parents of the deceased had informed that one Mohammed Jaffer and Sahul Ahmed had seen the petitioner and his friends along with deceased Mohidheen and hence the complaint was altered to 105 BNS, 2023. He further submitted that there are totally two accused in this case and the petitioner is arrayed as A2. A1 arrested and also released on bail by this Court in Crl.O.P.No.17695 of 2025 dated 20.06.2025.

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

6.Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, 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 **II Metropolitan Magistrate, Egmore, Chennai**, and on further conditions



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that:
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[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., for a period of thirty days; thereafter as and when required for interrogation;

[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 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



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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.

25.06.2025

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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.

To

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

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M.NIRMAL KUMAR, J.

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