



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18019 of 2025

Srini (a) Srinivasan

.. Petitioner

Vs.

The Superintendent / Senior Intelligence Officer,
Officer of Commissioner of the Customs (Airport),
New Custom House,
Meenambakkam, Chennai – 600 016.
(Crime No.Unknown of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in crime No. unknown / 2025 at the hands of the respondent police, in respect of the investigation pending on the file of the respondent police.

For Petitioner : Mr.S.Murugan

For Respondent : Mr.P.Vishnu,
Special Public Prosecutor



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 8(c) r/w 20(b)(ii)B and 28 of NDPS Act in Crime No.Unknown of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 16.05.2025 at about 11.00 hrs, in the presence of independent witnesses, a postal consignment bearing tracking number EE199761935TH, originating from Thailand was examined at the Foreign Post Office, Meenambakkam, Chennai by Officers of PAD-AIR Customs and the parcel was detained on reasonable suspicion under the NDPS Act and on systematic examination of eight packages, the content were suspected to be Ganja and the total net weight of the contraband was found to be 740 grams. Hence, the case.

3. The contention of the petitioner is that petitioner had vacated the address at Chidambaram Colony, Periyar, Erode and now residing at No.167, Indhu Nagar, West MLA Office Back Side, palayapalayam,



Thindal, Erode. The petitioner on receipt of the first notice dated 10.06.2025 he appeared gave his explanation thereafter again on 30.06.2025 he appeared and submitted medical certificate and also produced the adhaar card, passport, bank statement and all details to the respondent thereafter the third notice on 08.07.2025 he did not appear since he already filed an anticipatory bail application before this Court on 19.06.2025.

4. The objection of the learned Special Public Prosecutor appearing for the respondent is that though the petitioner claim that he has vacated the premises, the present occupant Omana was examined and she has not aware about the parcel. The petitioner's mobile number has been given as the conduct number to the said address. He fairly submits that the quantity of 740 grams is the small quantity under NDPS Act.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor and perused the materials available on record.



6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

WEB COPY

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Special Court for Customs Act, Alandur**, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice,



WEB COPY



2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent for a period of two weeks and thereafter as and when required for interrogation;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] 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;

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

[h] 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];



WEB COPY

Crl.O.P.No.18019 of 2



M.NIRMAL KUMAR, J.

cda/sma

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16.07.2025

cda

To

- 1.The Special Court for Customs Act, Alandur.
- 2.The Superintendent / Senior Intelligence Officer,
Officer of Commissioner of the Customs (Airport),
New Custom House,
Meenambakkam, Chennai – 600 016.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.No.18019 of 2025