



Crl.O.P.No.18225 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18225 of 2025

Shakir Vettaraparakkal
@ Vettaraparakkal Shakir

... Petitioner/Accused

Vs.

Union of India
Rep by
The Superintendent of Customs,
Prosecution Unit Airport,
New Customs House,
Meenambakkam, Chennai-27.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in connection with the R.R.No.17/2025 in O.S.No.24/2025-INT AIR & O.S.No.381/2025-AIU "A" Batch on the file of the respondent, Chennai.

For Petitioner : Mr.S.Sarath Chandran
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)



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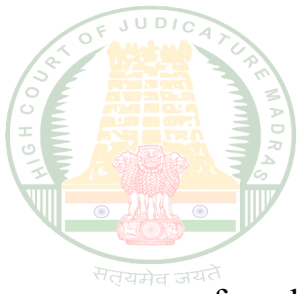
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.05.2025, for the offences punishable under Sections 8(c), 23, 28 of Narcotic Drugs and Psychotropic Substances Act, 1985 in connection with the R.R.No.17/2025 in O.S.No.24/2025-INT AIR & O.S.No.381/2025-AIU “A” Batch on the file of the respondent, Chennai, seeks bail.

2. The case of the prosecution is that the petitioner/accused, who was coming from Bangkok, Thailand to Chennai via Colombo by Sri Lankan Airlines Flight No.UL 127, dated 16.06.2025 had possessed 6100 grams of ganja in his luggage for the purpose of selling and the contraband had been seized by the respondent. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was arrested by the respondent in the International Terminal, Chennai on the allegations that during the time of checking, the respondent found that the petitioner's luggage had contained 6100 grams of ganja. He further submitted that the petitioner is not aware, how, the contraband was found in his baggage. The petitioner had put his bag for checking at Bangkok, Thailand, the said bag was sealed and loaded. Thereafter, in Chennai Airport, it is alleged that the contraband



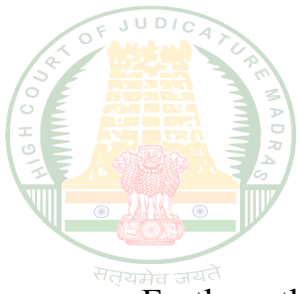
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was found in his bag. The bag was not in the custody of the petitioner and he is not aware about the said contraband. He further submitted that the petitioner cannot be arrested on presumption or assumption. Admittedly, the contraband was found in the petitioner's bag. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner submitted that the in this case, the petitioner had checked his luggage at Bangkok, Thailand, it was sealed and thereafter it had been loaded in the flight, in which, the petitioner travelled. After his disembarkation, the petitioner who had crossed the customs area on getting prior information about the petitioner, he was brought and thereafter his bag was screened and found that the said bag had contained contraband. The petitioner was carried the same from the Bangkok. Now, the petitioner was arrested. His statement was recorded, confirmed and contraband was sent to forensic lab. Investigation is in progress.

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

6. Considering the submissions made on either side and the contraband was seized from the petitioner's bag and there was no seizure from the petitioner.



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Further, the seized contraband is an intermediate quantity 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 *Special Court for Customs, Alandur*, 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 everyday at 10.30 a.m., for a period of three weeks and 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



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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 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.

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Vv

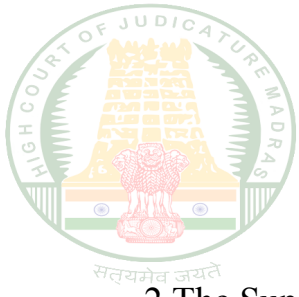
Note :

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 *Special Court for Customs, Alandur*

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2.The Superintendent of Customs,
Union of India, Prosecution Unit Airport,
New Customs House,
Meenambakkam, Chennai-27.

3.The Central Prison, Puzhal

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

Vv

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