



CrI.O.P.No.19012 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19012 of 2025

Azia

.. Petitioner

Vs.

The State rep by
The Inspector of Police
E5-Foreshore Estate Police station,
Chennai
Crime No.167 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.
167 of 2025 pending on the file of the Inspector of Police, E5-Foreshore Police
Station, Chennai.

For Petitioner : Mr.A.Mohammed Iqbal

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.05.2025, for the offence punishable under Sections 8(c) r/w 22(b), 29(1) of
NDPS Act, 1985 in Crime No.167 of 2025, registered on the file of the
respondent, seeks bail.



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2. The case of the prosecution is that the accused were found to be in illegal possession of 17.5 grams of Heroin. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner, who was arrested on 29.05.2025, is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to give blood surety and also ready to abide by any stringent conditions that may be imposed by this court. Hence he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that there are three accused in this case and this petitioner/A2 is the resident of Assam and from him alone, 5.8 grams of Heroin were recovered.

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

6. Considering the facts and circumstances of the case, the submissions made by the learned counsel appearing on either side and taking note of 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



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two blood related sureties, each for a like sum to the satisfaction of the learned

XXIII Metropolitan Magistrate, Saidapet, 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 thirty days 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 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



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M.NIRMAL KUMAR, J.

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

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 XXIII Metropolitan Magistrate,
Saidapet.
2. The Inspector of Police,
E5 Foreshore Estate Police Station,
Chennai City.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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