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CRL OP No. 21526 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 21526 of 2025

1. Muhammad Antama Yasika
S/o. Late Mustadjab J.L.I.G Ngurah Rai
RT2/3 Bago, Talungagung, Indonesia.

Petitioner(s)

Vs

1. Union of India through Intelligence
Officer
Directorate of Revenue Intelligence,
No.27, G.N. Chetty Road, T. Nagar,
Chennai-17.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in CC.No.203 of 2025, On the File of Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, at Chennai and pass such further or other orders as this Hon'ble Court deems fit and proper in the circumstances of the case and thus render Justice.

For petitioner : Mr.P.Syed Abdul Mashood
For Respondent(s): Mr.P.Vishnu
Spl Public Prosecutor

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 09.06.2024 for the alleged offence under Sections 8(c), 22(c), 23(c), 28 and 29 of NDPS Act, 1985 in P.R.No.43 of 2024 (NCB F.No.DRI/CZV/VII/48/ENQ-1/INT.22/2024) on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 3380 grams of Cocaine. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was in custody from 09.06.2024 and he is in custody for almost one year and 4 months and which is continuous incarceration and the same may be treated as one of the grounds and for dispensing Section 37 of the NDPS Act, he also relied on other two orders passed by this Court in Crl.O.P.Nos.8102 of 2025 and 4987 of 2025.

4. The learned Special Public Prosecutor reported that the petitioner was arrested while bringing Cocaine into India and the quantity seized is 3380 kgs red handedly and after completion of investigation, the complaint was also filed



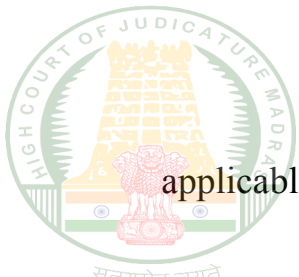
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before the trial Court and thereafter, he was served with the copies. After services of copies, he engaged the counsel and the charges were also framed on

02.09.2025 and after fixing the trial date, the case is adjourned to 14.10.2025.

He further submitted that the trial is progressing and period of custody of the petitioner is also not huge and opposed to grant bail to the petitioner.

5. Heard the submissions made on both sides and perused the previous orders passed by this Court in bail orders referred above and in both the cases, the period of custody of the petitioner who are granted bail was nearly 3 years and after considering the stage of the case, this Court has granted bail to the persons on the ground of continuous incarceration without trial by invoking Article 21 of the Constitution of India, whereas in this case, the petitioner was in custody from 09.06.2024. He is also foreigner and found in possession of 3380 kgs of Cocaine and Section 37 of the NDPS Act is applicable to the petitioner herein. Further it is also stated that the petitioner has engaged the counsel; after engaging the counsel for conducting the case, the charges were also framed on 02.09.2025 and date for trial is fixed on 14.10.2025. Hence, I am of the view that the previous orders cited by the counsel for the petitioner is not



applicable to the case of the petitioner herein and the petitioner has not makes

out any grounds to satisfy Section 37 of NDPS Act. Hence, I am not inclined to

grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

13-10-2025

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.I Additional Special Court for Exclusive Trial of Cases under NDPS Act,
Chennai.

2.Union of India through Intelligence
Officer

Directorate of Revenue Intelligence,
No.27, G.N. Chetty Road, T. Nagar,
Chennai-17.

3.The Public Prosecutor

High Court of Madras.



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K.RAJASEKAR J.

mpa

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