



Crl.O.P.No.23198 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.23198 of 2025

and

Crl.M.P.No.15850 of 2025

Mohamed Irfan

... Petitioner

Vs.

Narcotics Control Bureau represented by
Intelligence Officer,
Chennai Zonal Unit,
Chennai.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita to call for the records in Crl.M.P.No.4841 of 2025
dated 11.08.2025 in C.C.No.329 of 2025 on the file of the Special Judge, I
Additional Special Court for Exclusive Trial of Cases under NDPS Act,
Chennai, and set aside the same.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor



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ORDER

Challenging the order of the learned Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, dated 11.08.2025, dismissing the application under Section 88 Cr.P.C./Section 91 BNSS, the present Criminal Original Petition has been filed.

2.It is the grievance of the petitioner that NBW has been issued against him while showing him as absconding accused. While filing an application under Section 91 BNSS to execute a bond for regular appearance, the trial Court has rejected the application mainly on the ground that the petitioner has not appeared before the trial Court.

3.In such view of the matter, let the petitioner appear before the trial Court and file necessary application first to recall the NBW issued against him. Thereafter, the trial Court, taking note of the fact that NBW is issued on the basis of absconding charge-sheet, pass orders to recall the warrant and thereafter, on application under Section 91 BNSS, get a bond for ensuring regular appearance of the accused before the trial Court with necessary sureties.



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4. With these directions, this Criminal Original Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

26.08.2025

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

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

2. The Intelligence Officer,
Narcotics Control Bureau
Chennai Zonal Unit,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

N. SATHISH KUMAR, J.



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