



Crl.O.P.Nos.31757 of 2024 & batch

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

**Crl.O.P.No.31757 & 32622 of 2024, 86, 410, 500, 558, 584,
612, 662 & 1528 of 2025**

Prakash	... Petitioner in Crl.OP.No.31757 of 2024
Dhev Anandh @ Anandh	... Petitioner in Crl.OP.No.32622 of 2024
1.Mohammed Ramal	
2.Jainulabdeen	... Petitioner in Crl.OP.No.86 of 2025
Inbaraj	... Petitioner in Crl.OP.No.410 of 2025
Antony George Bush	... Petitioner in Crl.OP.No.500 of 2025
Gopalakrishnan	... Petitioner in Crl.OP.No.558 of 2025
Sreenivasan	... Petitioner in Crl.OP.No.584 of 2025
1.Pradeep	
2.Shahabudeen	
3.Ashwin Brainod	... Petitioner in Crl.OP.No.612 of 2025
Shaik Abdullah	... Petitioner in Crl.OP.No.662 of 2025
Siva @ Siva Prakash	... Petitioner in Crl.OP.No.1528 of 2025
	Vs.

State, Rep. by
The Inspector of Police
Madipakkam Police Station
Chennai District
(Crime No.544 of 2024)

... Respondent in all the Crl. OPs



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PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.544 of 2024 on the file of the respondent Police.

For Petitioner in Crl.OP.No.31757 of 2024: Mr.A.Samson

For Petitioner in Crl.OP.No.32622 of 2024: Mr.S.Dhilipan

For Petitioner in Crl.OP.No.86 of 2025 : Mr.M.S.Ramesh

For Petitioner in Crl.OP.No.410 of 2025 : Mr.R.Ganesan

For Petitioner in Crl.OP.No.500 of 2025 : Mr.T.R.Ravi

For Petitioner in Crl.OP.No.558 of 2025 : Mr.R.Prem Anandhan

For Petitioner in Crl.OP.No.584 of 2025 : Mr.M.Vijaya Sundar

For Petitioner in Crl.OP.No.612 of 2025 : Mr.R.Prem Anandhan

For Petitioner in Crl.OP.No.662 of 2025 : Mr.M.S.Ramesh

For Petitioner in Crl.OP.No.1528 of 2025 : Mr.K.Yuvaraja

For Respondent in all the Crl.OPs : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

Petition seeking bail in respect of Crime No.544 of 2024 registered for the offences punishable under Sections 8(c) r/w. Section 22(b), 29(1) and 20(b)(ii)(A) of the NDPS Act, 1985 @ 8(c) r/w. Section 20(b)(ii)(A), 22(b), 22(c) and 29(1) of Narcotic Drugs and Psychotropic Substance Act, 1985 is on board for consideration.



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<i>S.No.</i>	<i>Crl.OP.No.</i>	<i>Petitioner's rank</i>	<i>Date of arrest</i>
1	31757 of 2024	A5	12.11.2024
2	86 of 2025	A15 & A16	27.11.2024
3	32622 of 2024	A6	15.11.2024
4	410 of 2025	A12	19.11.2024
5	500 of 2025	A7	15.11.2024
6	558 of 2025	A4	12.11.2024
7	662 of 2025	A17	27.11.2024
8	584 of 2025	A13	20.11.2024
9	612 of 2025	A1, A2 & A3	12.11.2024
10	1528 of 2025	A9	18.11.2024

Pleading innocence and claiming false implication, the learned counsels for the petitioners seek the indulgence of this Court. They further submit that although the respondent police initially stated that the seized contraband was Methaqualone, the forensic report contradicts this, showing the contraband as Pseudoephedrine and Cannabinoids. The learned counsels further argue that, as per the forensic report, the recovered substances are controlled substances, and therefore, the rigors of Section 37 of the NDPS Act do not apply to the petitioners. They also submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court. They also submits that the petitioners, without prejudice to the defence and contention, are ready and willing



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to deposit the following amount to any welfare scheme of the Government or any other organization:

<i>S.No.</i>	<i>Crl.OP.No.</i>	<i>Petitioner's rank</i>	<i>Amount</i>
1	31757 of 2024	A5	Rs.10,000/-
2	86 of 2025	A15	Rs.5,000/-
		A16	Rs.5,000/-
3	32622 of 2024	A6	Rs.15,000/-
4	410 of 2025	A12	Rs.10,000/-
5	500 of 2025	A7	Rs.5,000/-
6	558 of 2025	A4	Rs.10,000/-
7	662 of 2025	A17	Rs.5,000/-
8	584 of 2025	A13	Rs.20,000/-
9	612 of 2025	A1	Rs.15,000/-
		A2	Rs.10,000/-
		A3	Rs.10,000/-
10	1528 of 2025	A9	Rs.5,000/-

3.The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that on 12.11.2024 at about 15:45 hours, the Sub Inspector of Police received a tip-off about the illegal sale of contraband. Acting on this information, he, along with his team proceeded to the location near Puzhithivakkam Railway Station (South Side). There, five individuals were found acting suspiciously. Upon



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inquiry, they were identified as the accused: Pradeep (A1), Shahabudeen (A2), Ashwin Brainod (A3), Gopalakrishnan (A4), and Prakash (A5). The accused were searched, and 998 grams of Methaqualone and 230 grams of OG Ganja were found in their possession.

4.The learned Government Advocate further submits that on 12.11.2024, the arrested accused (A1–A5) were produced before the Inspector of Police, and their confession statements were recorded in the presence of witnesses. The following items were seized under a mahazar; 7 grams of Methaqualone and mobile phones from A1, and 5 grams of Methaqualone and mobile phones from A2–A5. On 15.11.2024, the Inspector of Police produced arrested A6 (Dev Anand), A7 (Antony George Bush), and A8 (Sathishkumar) and their confession statements were recorded, and 230 grams of OG Ganja, mobile phones, and an electronic weight machine were seized. On 18.11.2024, arrested persons A9 (Sivaprakash), A10 (Ashok Kumar), and A11 (Hari Kannan) were produced, and their confession statements were recorded. Mobile phones were seized. On 20.11.2024, arrested persons A12 (Inbaraj) and A13 (Srinivasan) were produced and their confession statements were recorded, and 21 grams of Methaqualone, mobile phones, 953 grams of Methaqualone, 2 silver spoons, 1



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weight machine, and a sealing machine were seized. On 23.11.2024, arrested person A14 (Mahadevan) was produced, and his confession statement was recorded and a mobile phone was seized. On 27.11.2024, arrested persons A15 (Selva @ Mohmeed Ramal), A16 (Shaik Abdula), and A17 (Jainuladeen) were produced, and their confession statements were recorded. Mobile phones were seized. On 11.12.2024, the accused A18 (Christober) was formally arrested under PT Warrant and remanded to judicial custody by the Special Court for NDPS Act, Chennai. On 15.11.2024, the charge under Section 8(c) r/w 22(b), 29(1) of the NDPS Act was amended to include Section 20(b)(ii)(A) of the NDPS Act.

5.The learned Government Advocate (Crl. Side) further submits that the respondent police were initially under the impression that the contraband seized was Methaqualone, however, the forensic report revealed that the contraband recovered was, in fact, Pseudoephedrine and Cannabinoids. The learned Government Advocate (Crl. Side) further submits the details of recovery made from the petitioners and previous cases against the petitioners as follows:



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S.No.	Crl.OP.No.	Petitioner's rank	Recovery	Previous case
1	31757 of 2024	A5	5 grams	1 NDPS
2	86 of 2025	A15 & A16	Nil	Nil
3	32622 of 2024	A6	230 grams of OG ganja	1 NDPS
4	410 of 2025	A12	21 grams	Nil
5	500 of 2025	A7	Nil	Nil
6	558 of 2025	A4	5 grams	Nil
7	662 of 2025	A17	Nil	Nil
8	584 of 2025	A13	953 grams	Nil
9	612 of 2025	A1	7 grams	1 NDPS
		A2	5 grams	Nil
		A3	5 grams	Nil
10	1528 of 2025	A9	Nil	Nil

6.Considering the voluntary submission made by the learned counsels for the petitioners, the petitioners are directed to deposit the amount mentioned as follows to the credit of the "**District Legal Services Authority, Chennai District**" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt:

S.No.	Crl.OP.No.	Petitioner's rank	Amount to be deposited
1	31757 of 2024	A5	Rs.10,000/-
2	86 of 2025	A15	Rs.5,000/-



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S.No.	Crl.OP.No.	Petitioner's rank	Amount to be deposited
		A16	Rs.5,000/-
3	32622 of 2024	A6	Rs.15,000/-
4	410 of 2025	A12	Rs.10,000/-
5	500 of 2025	A7	Rs.5,000/-
6	558 of 2025	A4	Rs.10,000/-
7	662 of 2025	A17	Rs.5,000/-
8	584 of 2025	A13	Rs.20,000/-
9	612 of 2025	A1	Rs.15,000/-
		A2	Rs.10,000/-
		A3	Rs.10,000/-
10	1258 of 2025	A9	Rs.5,000/-

7.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioners and the fact that the controlled substances recovered from them do not attract the rigors of Section 37 of the NDPS Act, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction as follows:



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S.No.	Crl.OP.No.	Petitioner's rank	Bail to the satisfaction of
1	31757 of 2024	A5	Learned Principal Sessions Judge for EC and NDPS Court at Chennai.
2	86 of 2024	A15	Learned Principal Sessions Judge, NDPS Act Court, Chennai.
		A16	
3	32622 of 2024	A6	Learned II Judicial Magistrate, Alandur
4	410 of 2025	A12	Learned Judicial Magistrate II, Alandur
5	500 of 2025	A7	Learned Judicial Magistrate II, Alandur
6	558 of 2025	A4	Special Court for EC & NDPS Act, Chennai
7	662 of 2025	A17	Learned Principal Sessions Judge, NDPS Act Court, Chennai.
8	584 of 2025	A13	Learned Judge of Principal Special Court under EC and NDPS Act, Chennai
9	612 of 2025	A1	Special Court for EC & NDPS Act, Chennai
		A2	
		A3	
10	1528 of 2025	A9	Learned Judicial Magistrate No.II, Alandur

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 06.30 p.m., until further orders;



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[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

1.The Principal Sessions Judge for EC and NDPS Court
Chennai

2.The Judicial Magistrate No.II, Alandur

3.The Inspector of Police
Madipakkam Police Station
Chennai District

4.The Superintendent
Central Prison, Puzhal II

5.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.
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