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Crl.O.P.No.3044



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30446 of 2025

Jamaludeen

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
C5 Kothavalchavadi Police Station,
Chennai District.
(Crime No.80 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in C.C.No.949 of 2025 in connection to the Crime No.80 of 2025 pending on file of the II Additional Special Judge under NDPS Act cases at Chennai.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.08.2025, for the alleged offence punishable under Sections 8(c) r/w. 22(b),



29(1) of NDPS @ 8(c) r/w. 22(c), 20(b)(ii)(A), 25, 29(1) NDPS Act in Crime No.80 of 2025, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 13.05.2025, the Sub-Inspector of Police attached to the respondent received a secret information at about 14.15 hours informing that a person wearing grey colour jeans and black colour Tshirt was in possession of Methamphetamine and he was standing near Parvathi Textile Shop. The information received was placed before the superior officer and thereafter, the Sub-Inspector of Police along with one Special Sub-Inspector of Police and Head Constable went to the scene of occurrence. The informant identified the accused and moved away. Thereafter, at around 15.15 hours the identified person, whose name was Manish Kumar (A1) was enquired, Section 50 of NDPS Act was given and thereafter, he was searched. The said Manish Kumar produced one white cover from his pant pocket which contains Methamphetamine of 3.88 grams. Thereafter on confirming the same with test kit, Manish Kumar was produced before the Inspector of Police along with Section 57 report and a case in Crime No.80 of 2025 registered for the offence under Sections 22(b), 29(1) and 8(c) of NDPS Act. The said Manishkumar gave a confession that Methamphetamine was purchased from one Rohit Kumar of Rajasthan who procured the same from Bengaluru and peddling. The



investigation continued, the said Rohit kumar arrested on 16.05.2025 and the other accused, namely, Jitendra Soni on 19.06.2025, Dharsan/petitioner herein, Amithu Abik, Mohammed Sidiq/A5, Selvakumar @ Abdula were arrested on 21.05.2025. From A5, 77.88 grams of Methamphetamine seized and the case was altered to Sections 8(c) r/w. 22(c), 20(b)(ii)(A), 25 and 29(1) of NDPS Act on 22.05.2025. The petitioner herein is ranked as A8 and 4.12 grams of Methamphetamine was seized from him and he was arrested on 12.08.2025.

3. The learned counsel for the petitioner submitted that the petitioner is ranked as A8 and the recovery effected from him is of an intermediate quantity, and the allegation that the petitioner was involved in selling the Methamphetamine in collusion with A1, A2 and A5. He further submitted that similarly placed accused were already granted bail in Crl.OP Nos.19112, 17775 & 20875 of 2025 dated 13.08.2025 and prayed for the grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police filed his counter and submitted that on 13.05.2025, at about 15.15 hours, when the Inspector of Police was in a station duty, at that time, he received secret information about the illegal sale of contraband. Thereafter he



along with the Special Sub-Inspector of Police and Head Constable went to the scene of occurrence place (i.e.) Mint Street, near Parvathy Textiles. At that time, one unknown person was standing in a suspicious manner. On seeing the respondent police that person tried to escape from the place, but the respondent police caught him and enquired, since he was giving contradictory versions, on suspicion searched A1/Manishkumar. During enquiry, it came to know that the accused person's name is Manishkumar. During the search, A1 was found in possession of 3.88 grams of Methamphetamine. The respondent police seized the contraband under cover of seizure mahazar in the presence of witnesses. Hence, a case registered in C-5 Kothawalchavadi Police Station in Crime No.80 of 2025, U/s.8(c), r/w.22 (b), 29(1) of NDPS Act against the accused person on 13.05.2025 at about 19.30 hours, Inspector took up the case for further investigation. Thereafter, A1 arrested, recording his confession in the presence of witnesses, contraband was seized and produced the accused before the learned VIII Metropolitan Magistrate, George Town, Chennai and remanded him to judicial custody. He further submitted that final report is also filed and the petitioner has bad antecedents, involving 56 previous cases, out of which two are under NDPS Act cases.



5. During the course of investigation, A2/Rohit Kumar was arrested on 16.05.2025, his confession statement recorded in the presence of witnesses and produced before VIIIth Metropolitan Magistrate, George Town, Chennai and remanded him to judicial custody. Thereafter, CDR Report of the accused persons A1, A2, A3/the petitioner herein, A7 obtained and from the report, it revealed that the accused person made conversation for long duration frequently. A3/petitioner, A4/Amithu Abik, A5/Mohammed Sidiq, A6/Selvakumar @ Abdula all arrested on 21.05.2025. A3 and A4 contacted through Instagram ID and information communicated and they kept the message setting so that messages will get disappeared once it is read. The confession statement of A5/Mohammed Sidiq and A6/Selvakumar @ Abdula recorded in the presence of witnesses and produced before learned VIII Metropolitan Magistrate, George Town, Chennai and remanded them to judicial custody. A7/Jithendarsoni was arrested on 19.06.2025 and recorded his confession statement in the presence of witnesses. The seized contrabands along with seized properties produced before the Special Court under EC & NDPS, Chennai vide A.No.532 of 2025 and B.No.349 of 2025 dated 02.06.2025. Further A2 earlier filed a bail petition before the Special Court under EC and NDPS Act, Chennai in Crl MP No.2658 of 2025 and the same was dismissed on 09.06.2025. He would submit that the investigation is in progress and some more accused to be secured. Hence,



strongly opposed the bail petition.

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6. Heard both sides and perused the materials available on record including the First Information Report.

7. Considering the period of incarceration undergone by the petitioner from 12.08.2025 and also the fact that investigation in this case is concluded and the final report is also filed, though previous cases have been stated against this petitioner only 2 cases are under NDPS Act and other cases were IPC offences and it is also stated that the similarly placed co-accused, who were also having previous cases were also released on bail in Crl.O.P.Nos.19112, 17775 & 20875 of 2025, hence, this court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned II Additional Special Judge under NDPS Act cases, Chennai*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left



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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 petitioner shall report before the trial Court daily at 10.30 a.m., for a period of four weeks.

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

[d] the petitioner shall not tamper with the 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 petitioner in accordance with law as if the 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)AIR SCW 5560];

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

11.11.2025



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 II Additional Special Judge under NDPS Act cases, Chennai.
- 2.The Inspector of Police,
C5 Kothavalchavadi Police Station,
Chennai District.
- 3.The Superintendent of Police, Central Prison, Puzhal-II
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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