



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.32681 of 2025

Syed Inaiyathualla Muhammed Sheik

Petitioner

Vs

The State Represented by

The Inspector of Police,
Prohibition Enforcement Wing (PEW),
Arakkonam Police Station,
Ranipet District.
Crime No.70 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.70 of 2025 on the file of the respondent police.

For Petitioner:

Mr.J.Ramesh for Mr.K.Bommuraj

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody



on 21.09.2025 for the alleged offence punishable under Section 123 of BNS, 2023 and Section 77 of the Juvenile Justice Act altered to Section 111 and 123 of BNS, 2023 r/w Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.70 of 2025, seeks bail.

2. The allegation against the petitioners is that they were found in possession of 1,400 tablets, which are scheduled drugs under the Drugs and Cosmetics Act, and were used for administering the same for the purpose of intoxication to various persons. After the arrest of the petitioners, further investigation revealed that they were receiving the same from A3. After arresting Ferozullah/A3, it further revealed that he used to purchase from A4 to A6 from Mumbai, who were involved in dealing with medicines. Further, 15,000 numbers of tablets were recovered from another accused, and all were arrested and are in custody. Hence, the complaint was lodged and the petitioner was arrested.

3. Earlier, this Court dismissed the bail petition in CrI.OP.No.29591 of 2025 dated 11.11.2025 on the ground that the seized contraband is of huge quantity and that the investigation is still pending.

4. The learned counsel for the petitioner submitted that the petitioner is in judicial custody since 21.09.2025 and that the



investigation is not yet completed and the petitioner is not having any previous cases. He further submitted that the property was also recovered. Hence, he prayed to grant bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner herein is ranked as A5. He further submitted that the earlier bail petition was dismissed on the ground that the investigation is still pending and there is no change in circumstances. Hence, he opposed to grant bail to the petitioners.

6. I have also gone through the FIR and the earlier bail order passed by this Court, wherein the petition was dismissed and it is seen that investigation is pending and that a huge quantity of contraband was recovered.

7. Considering the above facts that the petitioner is in custody for more than 75 days and that the contraband seized does not fall under the Schedule to the NDPS Act, and the alleged tablets were misused for the purpose of intoxication, and further taking into account that the petitioner is not having previous cases, this Court is inclined to grant bail to the petitioner on certain conditions.



8. Accordingly, the petitioner is ordered to be released on bail on his executing a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Arakkonam* and on further conditions that:-

[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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of six weeks and thereafter as and when required for interrogation;

[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.

05.12.2025

drl

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

WEB COPY

1. The Judicial Magistrate No.I,
Arakkonam.
2. The Inspector of Police,
Prohibition Enforcement Wing (PEW),
Arakkonam Police Station,
Ranipet District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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CRL OP NO.32681 of 2025

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05.12.2025

Page 7 of 7