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CRL OP No. 32397 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32397 of 2025

Arif Ahamadh

Petitioner(s)

Vs

The State rep by The Inspector of Police
F3, Aarambakkam Police Station, Aarambakkam,
Gummidipoondi Taluk, Tiruvallur District, Tamil Nadu-
601201. Crime no.172/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail pending investigation in Crime No.172 of 2025 on the file of the Respondent.

For Petitioner(s): Mr.R.C.Paul Kanagaraj



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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.10.2025 for the alleged offences under Sections 8(c), 22(b) & 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Cr.No.172 of 2025 on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that the petitioner is ranked as A1 in this case and while he travelled along with three other accused, in the car on 28.10.2025 at about 19.50 hours respondent have intercepted the car and seized 2.80 grams of cocaine (intermediate quantity) and thereafter statements were recorded and petitioner was arrested. Based on the statements recorded from the arrested accused, it was revealed that they used to collect the contraband from A5 and he was also arrested in this case. It is further submitted that A5 is a Nigerian National who used to purchase the contraband from Bangalore and supply to this petitioner herein and they in turn supply the same to various persons.



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3.The learned counsel for the petitioner submitted that the contraband seized herein is only 2.80 grams of cocaine, which is an intermediary quantity and he is in judicial custody from 28.10.2025. Though it is stated that the petitioner is having previous case, the other case is also not a commercial quantity. He further submitted that he is ready to abide by any stringent conditions that may be imposed by this Court and also ready to co-operate for investigation. Thereby, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent police reported that there are totally five accused in this case and after recording the statement from A5, it revealed that there is a big network involved in trafficking of cocaine from Bangalore to Tamil Nadu and also they used to supply various persons and the investigation in this case is pending. Hence, he opposed for the grant of bail to the petitioner.



5. I have also gone through the FIR and other connected materials it revealed that the contraband seized is only an intermediate quantity and though it is stated that the petitioner is having one previous case, considering the period of incarceration and the fact that the contraband was seized, this Court is inclined to grant bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Gummidipoondi** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and



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thereafter as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

03-12-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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.



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To
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- 1.The State rep by The Inspector of Police
F3, Aarambakkam Police Station,
Aarambakkam, Gummidipoondi Taluk,
Tiruvallur District, Tamil Nadu-601201.
CrimenO.172/2025.
- 2.The District Munsif cum Judicial
Magistrate, Gummidipoondi.
- 3.The Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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