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Crl.O.P.No.32557 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32557 of 2025

Al Ameen

... Petitioner

-Vs-

State Rep by,
The Superintendent of Customs,
RSI Unit-Airport,
New Customs House, Meenambakkam,
Chennai District.
(RR No.41 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleaded to enlarge the petitioner on bail in RR No.41 of 2025 pending on the file
of the respondent police.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondent : Mr.K.Purushothaman
Special Public Prosecutor
for Customs

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.10.2025, for the alleged offence punishable under Sections 8(c) r/w 23, 28 and 29 of the NDPS Act, punishable under Section 20(b)(ii)(B) of the NDPS Act, 1985 in RR No.41 of 2025, on the file of the respondent police, seeks bail.

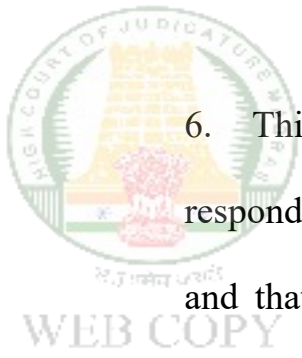


2. The case of the prosecution is that the petitioner had illegally concealed and transported 9988 grams of ganja from Bangkok, Thailand to Chennai through Fline No.TG 337 on 23.10.2025 and the same had been seized by the respondent police at International Airport, Chennai. Hence, the complaint was lodged, and the petitioner was arrested and is in judicial custody.

3. Learned counsel appearing for the petitioner submitted that the contraband allegedly seized from the petitioner is only an intermediate quantity and that the petitioner is in judicial custody since 24.10.2025. He further submitted that Section 37 of the NDPS Act is not applicable to the present case and that the petitioner has not having any bad antecedents. Hence, he prayed for grant of bail to the petitioner.

4. Mr.K.Purushothaman, learned Special Public Prosecutor appearing for the respondent police reiterated the prosecution case and submitted that the petitioner was involved in the transportation of specially graded ganja from Bangkok. He further submitted that the petitioner who handed over the contraband and the person who supposed to be receive the commodity are yet to be arrested and that the investigation in this case is still pending. However, he opposes to grant bail to the petitioner.

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



6. This Court has perused the records and also the counter filed by the respondent. It is revealed that the petitioner is not having any previous case, and that the petitioner is in judicial custody from 24.10.2025. Though it is stated that nearly 10 kgs of ganja was recovered, the same does not constitute a commercial quantity, but only an intermediate quantity. Therefore, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, for a like sum to the satisfaction of the *learned Judicial Magistrate Customs Court, Alandur*, 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 three 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.

01.12.2025

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.



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To

1.The Judicial Magistrate Customs Court,
Alandur.

2.The Superintendent of Customs,
RSI Unit-Airport, New Customs House,
Meenambakkam,
Chennai District.

3.The Superintendent,
Central Prison, Puzhal-II, Chennai.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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