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Crl.O.P.No.33288



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33288 of 2025

Raguram

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
R-3, Ashok Nagar Police Station,
Chennai – 600 083.
(Crime No.354 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.354 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Jayaprakash

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 24.09.2025 for the offences punishable under sections 8(c) r/w 22(a), 22(b), 25 & 29(1) of the NDPS Act, @ 20(b)(ii)(A), 22(a), 22(c), 25, 29(1) of the NDPS Act, in Crime No.354 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.09.2025 at about 06.00 hours, when Tr.Suresh, the Sub Inspector of Police was in a station duty at that time he received the secret information about the illegal sale of Contraband. Thereafter he along with his police team Tr.Muthukrishnan HC- 48640 Tr.Stalinjosh HC – 33012 went to the scene of occurrence place (i.e.,) Ashok Nagar 21st Avenue, near 95th Street Junction. At that time two unknown person were standing suspicious manner one namely Praveen / A1, Yuvaraj / A2, bearing Registration No. TN 10 BD 0897 (Honda Activa). On seeing the respondent police team the accused persons tried to escape from the place. During the investigation it came to know that the accused person A1 / Praveen, A2 / Yuvaraj. Subsequently, the respondent police conducted and search the accused person were found in possession of A1 / Praveen LSD Stamp – 0.08 gram, A2 / Yuvaraj – 0.74 gram Methamphetamine, Ketamine – 2.49 gram under cover of seizure mahazar in the



presence of witnesses. Then the respondent police arrested the accused person A1 & A2 and recorded their confession statement.

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2.1. Based on the confession recorded from A1 and A2 it revealed that they used to purchase the contraband from A3 and immediately A3 was also arrested by the police and from him 18.82 grams of ganja was recovered. It is further revealed that he used to purchase the contraband from A4, A5 and A6. Accordingly, they were arrested. In the statement of A4 and A5, it revealed that they have used to purchase the contraband from A11. Similarly from the arrested accused A6 2.73 grams of Methamphetamine was recovered and it further revealed that A6 joining hands with A7, A8, A9, A10, A13 used to purchase the contraband from A11 and A12. Based on the above statements, A11 and A12 were arrested on 24.09.2025 at about 20.15 hours from them. From A11 OG ganja – 78.61 gram, DMT – 0.56 gram, LSD stamp – 1.15 gram, Ketamine – 2.54 gram were recovered. From Accused No.12 LSD Stamp – 0.21 gram, Ganja – 7.22 gram were recovered.

3. The learned counsel appearing for the petitioner submitted that recoveries effected from petitioner herein falls in intermediary quantity. From some of the accused no recovery is effected. The allegation against the petitioner is that he used to sell the contraband after purchasing the same from A11 and



A12. He has no direct link with the contrabands seized from A11 and A12. It is the allegation that petitioner used to purchase only smaller quantity of contraband from A11 and A12. Hence the contrabands seized from A11 and A12 could not be linked with the petitioner. Hence Section 37 of NDPS Act is not applicable to them. Hence prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case, submitted that it is a network of drug peddlars and A11 and A12 are the main accused who used to procure the contraband from various places and sell to the students and others. He further submitted that investigation in this case is started from arresting of A1 and A2, and thereafter it connects the other accused leads to A12. Apart from that, further investigation reveals some more involvement of accused in this case. He further submitted that the petitioner was aware that the A11 and A12 were continuously involved in trafficking of various kinds of Narcotics and Psychotropic Substances. He further submitted that if the bail is granted there is likelihood of petitioners involved in similar offences. Hence, he opposed for grant of bail to the petitioner.

5. I have considered the submissions made on both sides and perused the records. It is the case of the prosecution that A11 and A12 used to sell



contraband to various persons including the petitioner herein. The petitioner has not involved in either possession, sale or trafficking of the contraband (Commercial quantity) seized from A11 and A12. The statements recorded from the accused also very clear that they used to purchase the contraband from A11 and A12. The statement recorded from A1 to A10 also reveals that, they have no knowledge or connection about the contraband seized from A11 and A12. In these circumstances, I am of the view that there is no material to connect the contraband seized from A11 and A12. Hence, if the contraband seized from A11 and A12 have not taken into consideration, the remaining seizure effected from the petitioner falls either small or intermediate quantity. This Court earlier in Crl.O.P.No.29829 of 2025 considered the similarly placed accused who are ranked within A1 to A10. Hence, I am of the view that Section 37 of the NDPS Act is not applicable to the petitioner, this Court is inclined to grant bail to the petitioners with certain conditions.

6. 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 Principal Special Court under EC & NDPS Act Cases, Chennai*, 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 learned Principal Special Court under EC & NDPS Act Cases, Chennai daily at 10.30 a.m., until further orders;

[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];



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Crl.O.P.No.3328



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

04.12.2025

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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 Principal Special Court under EC & NDPS Act Cases, Chennai.
- 2.The Inspector of Police,
R-3, Ashok Nagar Police Station,
Chennai – 600 083.
- 3.The Superintendent of Prison,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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