



CRL OP(MD). No.4663 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4663 of 2025

Remistan

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep.By the Intelligence Officer,
Directorate of Revenue Intelligence,
Madurai Sub-Regional Unit,
No.13/14, Saraswathi Nathi Nagar Street,
Madurai - 625 014.

... Respondent/ Complainant

For Petitioner : Mr.R.Bharathi

For Respondent : Mr.Arul Vadivel @ Sekar
Special Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in C.C.No.130 of 2024 pending trial on the file of the Special Court for EC and NDPS Act Cases, Pudukottai.



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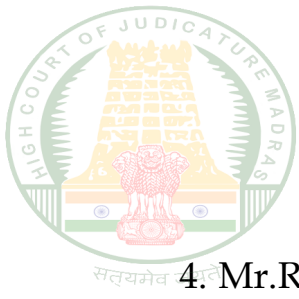
ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 11.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/A2 was arrested and remanded to judicial custody on 05.03.2024 for the alleged offences punishable under Sections 20(b)(ii)(c), 23(c), 25, 27A, 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 in F.No.DRI/CZU/MDU/VIII/48/ENQ-01/ INT-02/2024 on the file of the respondent-police.

3. The case of the prosecution is that upon receiving secret information, on 05.03.2024, during early morning hours, the respondent chased and intercepted a fishing boat at Deep Sea Region, Gulf of Mannar, wherein they found three accused persons. On enquiry, all three accepted that they had smuggled Hashish packed in 5 PP sacks and planned to deliver them to some men arriving from Srilanka and they also informed that the petitioner had handed over this consignment of smuggling. On search, the respondent found that the 5 sacks contained Narcotic Drugs (99 kg of banned Hashish) and a GPS device. The GPS device was removed. Based on the confession of the three accused persons, the petitioner was arrested. Hence the case.



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4. Mr.R.Bharathi, the learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 05.03.2024. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Mr.Arul Vadivel @ Sekar, learned Special Public Prosecutor appearing for the respondent-police, submits that on 03.03.2024, through Whatsapp, A3 had sent GPS location to this petitioner and this petitioner, in turn, had sent him photo of 20 rupees Srilankan Note. He further submits that on 04.03.2024, A3 had sent the photos of the contraband to the petitioner and the petitioner, in turn had again sent 20 rupees Srilankan Note to A3. He therefore submits that this code word communication shows that the petitioner and other accused were habitually involved in the illegal trafficking of the contraband. He further submits that the contraband is involved in this case is 99 kg which is worth about 108.9 crores. He therefore, strongly opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records including the complaint and the documents.

7. The petitioner was arrested on 05.03.2024 and is in judicial custody. There



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are sufficient materials available on record to show the involvement of the petitioner
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in the crime. In view of the rigors stated under Section 37 of NDPS Act, 1985, this
Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal
Original Petition is dismissed.

sd/-
21/04/2025

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI

TO

1.THE INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
MADURAI SUB-REGIONAL UNIT,
NO.13/14, SARASWATHI NATHI NAGAR STREET,
MADURAI - 625 014

2.THE OFFICER IN CHARGE, DISTRICT PRISON, PUDUKOTTAI.

3. THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. BHARATHI.R Advocate SR.No.4602(I)DT.23/05/2025



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ORDER IN
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Date :21/04/2025

PR/20.05 .2025 5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023