



CRL OP(MD). No.5637 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Mohamed Ismayil

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Devakottai Town Police Station,  
Sivagangai District.  
Crime No. 45/2025.

... Respondent/ Complainant

For Petitioner : Mr.G.Thiruvarutselvan,  
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,  
Additional Public Prosecutor

PRAYER :-

For Bail in Crime No.45 of 2025 on the file of the respondent-police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 24.03.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner / Accused No.1 was arrested and remanded to judicial custody on 18.02.2025 for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(B) of the NDPS Act, 1985 in connection with Crime No.45 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 03.02.2025, at about 02.45 p.m., based on the secret information received by the Sub-Inspector of Police, a police team conducted an inspection near the petitioner's house. During the inspection, they found that the petitioner along with other accused persons were in illegal possession of ganja. On seeing the Police, the petitioner and another one accused person escaped from the spot and the respondent-Police seized 54 gms of ganja from Accused Nos.3 to 5. Based on the confession of the co-accused, the petitioner herein has been arrayed as Accused No.1 and the respondent-police seized 1646 gms of ganja from the house of the petitioner and arrested the petitioner on 18.02.2025. Hence, the case.

4. Mr.G.Thiruvarutselvan, learned counsel appearing for the petitioner, submits



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that the petitioner has nothing to do with the alleged offence, and that a false case has been foisted against the petitioner. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the investigation proceedings. He further submits that if bail is granted to the petitioner, he will not abscond. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that the respondent-Police seized 54 gms of ganja from Accused Nos.1 to 3 and seized 1646 gms of ganja from the house of the petitioner herein. He further submits that there are five previous cases pending against the petitioner, out of which three cases are similar in nature. He further submits that the petitioner has been detained under Act 14 of 1982. He further submits that in view of Section 37 of the NDPS Act, the petitioner has not made out a prima facie case. He further submits that if bail is granted to the petitioner, he may abscond and thereby, cause delay to the investigation proceedings. Hence, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. Considering the above, and taking note of the fact that 1646 grams of contraband was seized from the house of the petitioner and 54 gms of contraband was seized from Accused Nos.1 to 3 and taking note of the fact that the petitioner has



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been detained under Act 14 of 1982, this Court is not inclined to grant bail to the  
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petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-  
26/03/2025

/ TRUE COPY /

/04/2025

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

TSG  
TO

1 THE INSPECTOR OF POLICE,  
DEVAKOTTAI TOWN POLICE STATION,  
SIVAGANGAI DISTRICT.

2 THE OFFICER INCHARGE  
DISTRICT PRISON, PUDUKOTTAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.5637 of 2025  
Date :26/03/2025

HPS/SAR / 29.04.2025/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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