



CRL OP(MD). No.9207 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Mohammad Hafeez Asfaaiq,
S/o.Haroon Al Rasheed

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Woraiyur Police Station,
Trichy.
(Crime No.14 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Alagumani,
Advocate

For Respondent : Mr.Thanga Aravindh.B,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.14 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 123 of BNS, 2023 r/w. Sections 8(c), 22(c) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act in Crime No.14 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.01.2025, based on secret information regarding the transportation of prohibited drugs, the respondent police proceeded to Ramalinga Park, Woraiyur, and found the accused in illegal possession of 20 grams of Methamphetamine. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been residing in Singapore for the past one year and is pursuing his MBA course. Since the petitioner is in abroad, he is in no way connected with the alleged occurrence as stated by the prosecution. He further submitted that there are no previous adverse antecedents against the petitioner. However, the petitioner is ready to abide by any conditions that may be imposed by this Court.



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4. Per contra, the learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A5 in this case. Except A5/the petitioner herein, all other accused were arrested and subsequently released on bail. The specific overt act attributed against the petitioner is that he purchased the contraband from Bangalore and sold the same to A1 to A4. The respondent police recovered 25 packets of Methamphetamine, weighing 20 grams. Based on the confession of the co-accused, it came to light that the petitioner obtained the contraband from a Negro man through phone transaction and sold the same to the other accused. He further submitted that there are no previous cases registered against the petitioner. However, he opposed the grant of anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner further submitted that the said Negro man is also not yet arrested, and a Look Out Circular has been issued against the petitioner. Therefore, if the petitioner returns to India, he may be arrested by the Airport authorities. Hence, he seeks anticipatory bail for the petitioner.



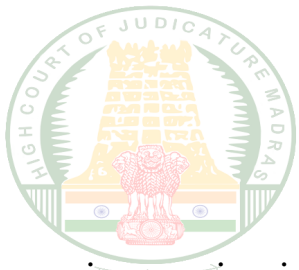
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6. On perusal of the records, it is seen that the petitioner is a student, who is doing MBA at Singapore from March 2024. Hence, considering the facts and circumstances of the case, and taking into account of the fact that co-accused have been arrested and released on bail, and that the entire contraband has already been recovered, and that there are no previous cases registered against the petitioner, and that as the date of occurrence is 10.01.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Court of EC Act and NDPS Act Cases, Pudukkottai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Special Court of EC Act and NDPS Act Cases, Pudukkottai and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb



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impression in the surety bond and the Magistrate may obtain a copy of their Aadhar
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card or Bank pass Book to ensure their identity;

(b) the petitioner shall furnish his residential address and mobile number to the learned Special Judge of EC Act and NDPS Act Cases, Pudukkottai. In the event of any change in his residential address, the petitioner shall report the same to the learned Special Judge of EC Act and NDPS Act Cases, Pudukkottai;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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



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the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme
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Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
23/06/2025

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/07/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1.THE SPECIAL COURT OF EC ACT AND NDPS ACT CASES,
PUDUKKOTTAI.

2.THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION, TRICHY.



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

+1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-6660[I] dated 23/06/2025)

ORDER
IN
CRL OP(MD) No.9207 of 2025
Date :23/06/2025

PR/30.06 .2025 7P/5C

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