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Crl.O.P.No.11548 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HONOURABLE MR JUSTICE C. KUMARAPPAN

CRL OP NO.11548 of 2025

Ajah Nwonye Philip

... Petitioner/ Accused

Vs

The State of Tamil Nadu rep. by,
The Inspector of Police,
K8, Arumbakkam Police Station,
Chennai.
(Crime No.441 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.441 of 2024 on the file of the respondent police.

For Petitioner(s) : Mr. L. Ambruse

For Respondent(s) : Mr. S. Vinoth Kumar
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on **18.11.2024** for the alleged offence **under Sections 8(c) r/w 22(b) and 29(1) of the NDPS Act, 1985 @ u/s. 8(c) r/w 22(b), 22(C), 25, 20(b)(ii)(A) and 29(1) of the NDPS Act in Crime No.441 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.10.2024 based on a specific information, the respondent team went to the place of occurrence and intercepted A1 in this case; that after complying all the mandatory provisions under the NDPS Act, search was conducted and 11.59 grams of Methamphetamine was effected from A1; that thereafter his statement under Section 67 of the NDPS Act was recorded, which revealed that he purchased the contraband from Anthony Ruban (A4) and would sell it to Deepakraj (A3), Siddharth (A2) and Jagadeesh @ Jaga (A9); that after the arrest of the first accused, on his confession a further quantity of 14.33 grams of Methamphetamine was seized from his house; that thereafter, A5 and A6 were arrested and 2.5 grams and 5.8 grams of Methamphetamine were seized from them, respectively; that their confession statement revealed that they purchased Methamphetamine from one Sathish (A7) and Vishwanathan



Reddy (A8) and also leads to further seizure of 1 kilogram of Methamphetamine from A8; that during further course of investigation, it is revealed that the petitioner herein is the kingpin and the main supplier of the seized contraband in this case; that subsequently, the petitioner was arrested and remanded to judicial custody.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that at the time of registration of FIR, the contraband seized from A1 was classified as intermediate quantity and thereafter, the respondent police had further seized contrabands from A5, A6 and A8 and based on their confession, the respondent had included the petitioner herein and other accused in this case; that there is no recovery effected from the petitioner herein and he is in judicial custody since 18.11.2024; that the similarly placed co-accused were already enlarged on bail and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the Respondent Police while opposing the bail to the petitioner, reiterated



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the prosecution case and submitted that there are totally 20 accused involved in this case and the petitioner is arrayed as A12. He would further submit that, the total contraband involved in this case is 1.034 kilograms of Methamphetamine and based on the confession of the arrested accused and further course of investigation done by the prosecution, it came to light that the petitioner herein is a Nigerian national and he is the kingpin and main supplier of the contraband; that the trial of this case is in advanced stage and if the petitioner is enlarged on bail, there is possibility that he would abscond and hamper the trial process.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsels on either side, it is seen that the petitioner is a Nigerian national and he is the main supplier of the contraband seized in this case. Though, it is stated by the learned counsel for the petitioner that, the co-accused in this case was already enlarged on bail, the contention raised by the learned Government Advocate (Crl. Side) appearing for the respondent cannot be taken lightly, since the petitioner herein is a foreigner and if he is enlarged on bail, there is possibility that he would abscond and hamper the trial process, and also



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considering the fact that the quantity of contraband involved in this case is commercial quantity, hence rigors of Section 37 is also applicable to the case of the petitioner herein. Thus upon consideration of the totality of the circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition stands dismissed.

04.03.2026

stn

To

1. The Inspector of Police,
K8, Arumbakkam Police Station,
Chennai.
(Crime No.441 of 2024)
2. The Public Prosecutor,
High Court of Madras

C. KUMARAPPAN, J.

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