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CRL OP No. 35913 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35913 of 2025

1. Mohammed Mastan Sharfudeen
S/o.Mohammed Razeen Ali, Residing at
9/10 Srinivasa Appartment, H D Raja
Street, Elams Road, Teynampet,
Chennai.

Petitioner(s)

Vs

1. The State Rep By Its,
The Inspector of Police, V5
Thirumangalam police Station, Chennai
City. (Crime No.750 of 2025)

Respondent(s)

CRL OP No. 35913 of 2025

PRAYER

To order enlarge the petitioner on bail in connection with the case in crime no.750/2025 on the file of the respondent and thus render justice.

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For Petitioner(s): I. Sheik Mohamed
M.Subash
E.Aneesh Vinayak-ms/587/2023
P.Nithish

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.11.2025 for the alleged offence punishable under Section 8(c) r/w 20(b)(ii) (A) & 22(b) of the NDPS Act in Crime No.750 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is ranked as A4 in this case. Originally A1 was arrested with 0.040 LSD Stamp and 10 grams OG ganja. On investigation, it revealed that A1 is part of network of the drug peddlers in the city of Chennai and it revealed that totally 5 accused have been collaborated and involved in the offences. After arresting and recording the statement from other accused, it further revealed that the larger network of drug peddlers involved in Chennai city, particularly selling it into the elite groups of various professional fields. During the investigation, the petitioner herein was also arrested and from him 2 grams of Methamphetamine was recovered. It was stated by the petitioner herein that he purchased 5 grams of ganja from co-accused and had sold 3 grams of ganja and he was in possession of 2 grams of ganja. Hence, he was arrested and he is in custody from 20.11.2025.

3. Learned counsel appearing for the petitioner submitted that total quantity seized in this case is not a commercial quantity and the contraband seized from the petitioner is only 2 grams of Methamphetamine which is very small quantity and it was for the possession for his personal consumption as



alleged in the statement from him. He further submitted that the petitioner is not having any previous case and he is a student and he has to write the forthcoming examinations. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent vehemently opposed granting bail to the petitioner on the ground that the investigation revealed that larger network of ganja peddlers acting in the various fields across Chennai and the petitioner has not co-operated for the investigation and though the quantity seized at the time of arresting the petitioner only small quantity however cash to the extent of Rs.21 lakhs have been recovered which revealed that larger network is involved in this case and the investigation has to be carried out and if the petitioner is granted bail, it will hamper the investigation. He further submitted that investigation in this case is still pending and one of the co-accused was arrested on 05.01.2026. Hence, he opposed to grant bail to the petitioner.

5. I have gone through the records and other statements of the various accused. Though it is stated that accused are involved in larger network of ganja peddlers, the fact remains that the quantity seized from the petitioner is only 2 grams which falls within the definition of small quantity. Further the quantity seized from the other accused also not a commercial quantity and the petitioner herein is in incarceration from 20.11.2025, hence, this Court is inclined to grant bail to the petitioner 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, for a like sum to the satisfaction of the *learned XIII Metropolitan Magistrate Court, Egmore*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 06.30 p.m., for a period of three weeks and thereafter as and when required for interrogation.

[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;



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[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];

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

07-01-2026

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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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 XIII Metropolitan Magistrate Court, Egmore.

2. The Inspector of police
V5- Thirumangalam Police station,
Chennai city

3. The Superintendent, Sub Jail,
Saidapet, Chennai

4. The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR J.
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