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FAVOUL OKE Vs Union of India represented by Jr.Intelligence Officer,

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Court : Chennai Orders

Decided On : Aug-25-2025

Judge : Honourable Dr Justice G. Jayachandran

Appeal No. : CRL OP/12711/2025

Appellant : Favoul Oke

Respondent : Union of India represented by Jr.Intelligence Officer,

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN Crl.O.P.Nos.12711 &19010 of 2025 Favouv Oke ... Petitioner in Crl.O.P.No.12711/2025 Okey Kingsley Bothlome ... Petitioner in Crl.O.P.No.19010/2025 Vs. Union of India represented by Jr.Intelligence Officer Narcotic Control Bureau Chennai Zonal Unit, Chennai. (Crime No.24 of 2023) ... Respondent in both Crl.O.P.Nos. PRAYER in Crl.O.P.No.12711/2025: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the

Petitioner/accused-4 on bail pending trial in C.C.No.203 of 2024 in R.R.No.24 of 2023 on the file of the II Additional Special Court for Exclusive Trial of NDPS Act, Chennai. PRAYER in Crl.O.P.No.19010/2025: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending trial in C.C.No.203 of 2024 on the file of the Special Judge II Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

For Petitioner in Crl.O.P.No.12711/2025 : Mr.D.P.Vishal For Petitioner in Crl.O.P.No.19010/2025 : Mr.V.Parthiban for Mr.N.M.Velan For Respondent in both Crl.O.P.Nos. : Mr.N.P.Kumar Special Public Prosecutor

COMMON ORDER

These petitions have been filed seeking bail in connection with Crime No.24 of 2023 for the alleged offences punishable under Sections 8(c) r/w 21(c), 22(c), 28 and 29(1) of the Narcotics Drugs & Psychotropic Substances Act, 1985 in Crl.O.P.No.12711/2025 and Sections 8(c), 22(c), 25, 28 and 29(1) of the Narcotics Drugs & Psychotropic Substances Act, 1985.

2. These petitions are for bail in connection with seizure of commercial quantity of MDMA tablets. The petitioners are belonged to Nigeria.

3. The learned counsel for the petitioners states that the long incarceration

pending trial is one of the exception to Section 37 of the NDPS Act. Therefore, the petitions for bail to be considered sympathetically. The petitioners were arrested on 05.09.2023 and 06.09.2023 in a public place namely, Koyembedu Bus Stand. They were carrying contraband from Bangalore to Chennai for distribution.

4. The learned Special Public Prosecutor appearing for the respondent police

submitted that the minimum punishment described for this commercial quantity of contraband is 10 years with fine of Rs.1,00,000/-. The petitioners belonged to foreign nation and if they are released on bail on any conditions, there is every

possibility of abscondence.

5. Considering the grave nature of offence, the bail petitions cannot be decided only based on long incarceration. The other aspects should also been taken into note.

6. Hence, these Criminal Original Petitions are dismissed. 25.08.2025 dna To 1.The Principal Sessions Judge under EC & NDPS Act, Chennai-104. 2.The II Additional Special Court for Exclusive Trial of NDPS Act, Chennai. 3.Jr.Intelligence Officer Narcotic Control Bureau Chennai Zonal Unit, Chennai. (Crime No.24 of 2023) 4.The Central Prison, Puzhal at Chennai. 5.The Central Special Prison for Women at Puzhal. 6.The Public Prosecutor, High Court of Madras.

Dr.G.JAYACHANDRAN, J.

dna Crl.O.P.Nos.12711 & 19010 of 2025 25.08.2025

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