



CRL OP(MD). No.20253 of 2025

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

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Date : 17.11.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Syed Ismail

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.228 of 2025)

... Respondent/Complainant

For Petitioner : Mr.SMA Jinnah

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.228 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 07.10.2025 for the offences punishable under Sections 8(c) r/w 20(b) (ii)(B) of the NDPS Act, in Crime No.228 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner was found illegal possession of 1.25 kgs of Ganja. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 07.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the property was recovered from the petitioner and the petitioner is having 11 previous cases and those cases were registered for IPC offences. He further submitted that the co-accused were already granted bail. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and since the seized contraband is not commercial quantity, and the previous cases involved are under IPC offence except one NDPS offence and the co-accused were already granted bail and also considering the period of incarceration suffered by the petitioner, this Court is inclined to



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grant bail to the petitioner, subject to the following conditions:

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6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Additional District Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[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



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S.SRIMATHY,J.

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with law as if the conditions have been imposed and the petitioner is 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 BNS.

17.11.2025

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To

1. The Additional District Judge,
Principal Special Court for Narcotic Drugs and Psychotropic Substances
Act Cases, Madurai,

2. The Superintendent, District Jail, Virudhunagar.

3. The Inspector of Police,
Austinpatti Police Station, Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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