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Crl.O.P.No.4485 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.4485 of 2026

Ismail Mujawar

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
PEW Flower Bazaar Police Station,
Chennai.
(Crime No.13 of 2026)

... 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.13 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr. M. Nagaraj

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 29.01.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25, 29(1) of NDPS Act, 1985 in Crime No.13 of 2026, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.01.2026 at about 17:20 hours, based on a prior information, the respondent team went to the place of occurrence and intercepted A1 and A2; that after complying all the mandatory provisions under the NDPS Act, search and seizure was effected and found that they were in possession of 1.600 kilograms of OG Ganja for the purpose of illegal sale; that thereafter, the contraband were seized under the cover of seizure mahazar and their statements were recorded in the presence of witnesses, which revealed the involvement of the petitioner herein (A5) and other accused in the aforesaid offence; that further seizure of 5.450 kilograms of OG Ganja was recovered from A3 and A4 in this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 29.01.2026; that the alleged contraband seized in this case



falls under the definition of intermediate quantity; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally 9 accused involved in this case and the petitioner is arrayed as A5; that the petitioner conspired with other accused and involved in illegal trafficking of Ganja from Bangalore to Tamil Nadu for the purpose of selling the same for their personal gain; that the contraband involved in this case is an intermediate quantity; that the petitioner has no previous cases and he is hailing from Maharashtra; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, the quantity of contraband involved in this case is an intermediate quantity, the fact that the petitioner has no previous antecedents and the period of incarceration undergone by the petitioner herein, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **XVI Metropolitan Magistrate Court, George Town, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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



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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 XVI Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
PEW Flower Bazaar Police Station,
Chennai. (Crime No.13 of 2026)
3. The Superintendent,
Central Prison-II, Puzhal.

K. RAJASEKAR, J.

stn



4. The Public Prosecutor,
High Court of Madras.



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