



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7218 of 2026

1. Yunas Kabeer
2. Sheyas Veliamkode Shamsudeen

..Petitioners

Vs

The Superintendent of Customs
RSI Unit-Airport,
New Custom House,
Meenambakkam,
Chennai - 600016.
R.R.No.06/2026

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNS Act to enlarge the Petitioners on Bail in R.R.No.06 of 2025 on the file of Superintendent of Customs, Chennai Airport.

For Petitioner:

Mr.E.Santhakumar

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.09.2025 for the alleged offences under Sections 8(c), r/w 20(b)(ii)(B), 23, 28



and 29 of NDPS Act in R.R.No.06/2026 on the file of the respondent, seek bail.

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2. The case of the prosecution alleged is that the petitioners illegally concealed and transported 9.980 k.grams of ganja from Thailand. Hence, this case.

3. The Learned counsel for the petitioners submitted that the petitioners are also victims. They had helped one Anu and carried the luggage without knowledge that contraband was kept inside it. He further submitted that the recovered quantity is only an intermediate quantity of 9.980 k.grams of ganja and they have been incarcerated since 06.02.2026 and have no previous cases. Hence, he prays for grant of bail to the Petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and relied upon the counter statement and submitted that the contraband was smuggled from Thailand. He fairly submitted that the petitioners have been in judicial custody since 06.02.2026, that there is no previous case pending against them and the investigation is still pending. Hence, he opposed the grant of bail to the Petitioners.

5. I have given my anxious consideration to either side submissions and



perused the materials available on record.

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6. From the submissions made by the learned counsel on either side and while looking at the factual position of the case, the petitioners have been incarcerated since 06.02.2026 and the quantity involved is only 9.980 k.grams of ganja. Admittedly, there are no previous cases against the petitioners. According to the petitioners, they are also victims of one Anu, the mastermind who handed over the luggage to them which they carried without knowing its contents. Though, the learned Government Advocate (Crl.Side) submitted that investigation is pending and recovery has already been made, and the petitioners had been incarcerated since 06.02.2026, this Court, taking into consideration of the totality of the circumstances, is inclined to grant bail on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 **learned Judicial Magistrate Court, Alandur**, 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 petitioners shall report before the respondent daily at 10.30 a.m. and 05.30 p.m, until further orders and no relaxation petition shall be entertained within a period of 60 days;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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];**

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

23-03-2026

SHL

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 Judicial Magistrate Court,
Alandur.

2. The Central Prison,
Puzhal-II.

3. The Superintendent of Customs
RSI Unit-Airport,
New Custom House,
Meenambakkam,
Chennai – 600016.

4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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