



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CrI.O.P.No. 35922 of 2025

Ayyappan

... Petitioner

Vs.

The Union of India
Rep. By its
The Superintendent of Customs
RSI Unit – Airport
New Customs House,
Meenambakkam
Chennai – 16.

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No. R.R.No. 44 of 2025 in O.S.No. 913/2025-AIU-D & O.S.No. 71 of 2025-INT-AIR on the file of respondent police.

For Petitioner : Mr.Vishnu Prasad

For Respondent : Mr.K.Purushothaman

Special Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.11.2025, for the offences punishable under Sections 8(c), 23, 28 and 29, 43 of NDPS and under Sections 20(b)(ii)(B) of the NDPS Act, in R.R.No. 44 of 2025 in O.S.No.913/2025-AIU-D & O.S.No. 71 of 2025-INT-AIR registered on the file respondent police, seeks bail.

2. On 14.11.2025 at approximately 00:10 hours, acting on specific intelligence , the Air Intelligence Unit (AIU) intercepted the petitioner bearing Indian Passport No. AH582268 at the Exit of the Arrival Hall, Chennai Anna International Airport. The petitioner had arrived on Thai Airways Flight No. TG-337 from Bangkok, which landed at 23:51 hours on 13.11.2025. Upon examination of his check-in luggage (a black trolley suitcase with brown border), eight food packets were found to contain nine transport packets with green-coloured flowering/fruited tops. The substance emitted a strong odour characteristic of Cannabis/Marijuana. Hence, he was arrested on 14.11.2025 after following the mandatory provisions.



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3. The learned counsel for the petitioner submitted that the petitioner is in judicial custody from 14.11.2025 and he has no any previous case and it is not the case of commercial quantity. He further submitted that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that this is a case of international day trafficking and investigation revealed that there are some persons supplied the contraband and the same was smuggled to India by this petitioner who is carrier for a sum of Rs.40,000/- and investigation is pending. However, he opposed for grant of bail to the petitioner.

5. I have considered the submissions made on both sides and perused the connected records. Admittedly, the petitioner has no previous case, the contraband is also seized, is not a commercial quantity. It is also stated that the petitioner is only a carrier for monetary reward and considering the period of incarceration of the petitioner, I am inclined to grant bail to the petitioner.



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 Judicial Magistrate, Special Court, Customs Act, 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 petitioner shall report before the respondent police station everyday at 10:30 a.m., for a period of three 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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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note :

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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

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- 1.The Judicial Magistrate, Special
Court, Customs Act, Alandur,
Chennai.
- 2.The Central Prison, Puzhal,
Chennai.
- 3.The Public Prosecutor
High Court of Madras.

- 4.The Superintendent of Customs
RSI Unit – Airport
New Customs House,
Meenambakkam
Chennai – 16.



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K.RAJASEKAR J.

MSM

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