



CRL OP(MD). No.1965 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.1965 of 2026

Mohammed Sameer Thamby

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
(Crime No.37 of 2026)

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.37 of 2026 on the file of the respondent police.



CRL OP(MD). No.1965 of 2026

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 14.01.2026 for the offences punishable under Sections 8(c) r/w 20(b) (ii)(A), 29(1) of NDPS Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act, in Crime No.37 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 100 grams of Ganja for the purpose of selling the same to the school and college students. 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 ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 14.01.2026. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.1965 of 2026

4. The learned Additional Public Prosecutor submitted that there are no previous cases pending against the petitioner and the property has been recovered. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the quantity of the contraband is not commercial and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

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) with two sureties, each for a like sum to the satisfaction of the learned Special Court for Exclusive Trial Cases under POCSO Cases, Thoothukudi, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



WEB COPY



CRL OP(MD). No.1965 of 2026

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

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 with law as if the 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(S S Y J)
03.02.2026

msrm



CRL OP(MD). No.1965 of 2026

To
WEB COPY

1. The Special Court
for Exclusive Trial Cases under POCSO Cases, Thoothukudi,
2. The Superintendent, Central Prison,
Palayamkottai.
3. The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.1965 of 2026

S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.1965 of 2026

Date : 03.02.2026