



CRL OP(MD). No.2038 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.2038 of 2026

1.Imam Ali

2.Malik Hussain

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
(Crime No.15 of 2026)

... Respondent/Complainant

For Petitioners : Mr.A.Naresh Prabu
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.15 of 2026 pending on the file of the
respondent police.



CRL OP(MD). No.2038 of 2026

ORDER : The Court made the following order :-

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The petitioners, who were arrested and remanded to judicial custody on 07.01.2026 for the offences punishable under Sections 8(c) , 20(B)(ii)(A), 29(1) of NDPS Act and 77 of JJ Act, in Crime No.15 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 50 grams of Ganja. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court and they are in judicial custody from 07.01.2026. Hence, he seeks bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the property has been recovered and the investigation is still pending. Hence, he opposed for grant of bail to the petitioners.



CRL OP(MD). No.2038 of 2026

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 petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a separate 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 Judicial Magistrate, Thiruchendur, 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.

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

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



CRL OP(MD). No.2038 of 2026

[d] the petitioners 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 petitioners in accordance with law as if the 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)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.2038 of 2026

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To

1. The learned Judicial Magistrate,
Thiruchendur.
2. The Superintendent, Central Prison,
Palayankottai.
3. The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.2038 of 2026

S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.2038 of 2026

Date : 03.02.2026