



CRL OP(MD). No.2960 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/04/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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K.Maheshwaran,
S/o.Kalimuthan,

... Petitioner/Accused

Vs

The Superintendent of Customs,
Customs Division,
Ramanathapuram.

... Respondent/Complainant

For Petitioner : Mr.Vignesh.S,

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest in C.C.No.45 of 2008 in O.R.No.2/2007/2008/DPU/RMD on the file of the Superintendent of Customs, Customs Division, Ramanathapuram.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 8(c) r/w 21(c) 28 and 29 of Narcotic Drugs & Psychotropic Substances Act, 1985, C.C.No.45 of 2008 in O.R.No.2/2007/2008/DPU/RMD on the file of the Superintendent of Customs, Customs Division, Ramanathapuram, seeks anticipatory bail.

2. The case of the prosecution is that based on secret information, the respondent police went to the spot and seized 100 grams of heroin from the petitioner. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. Hence, he prays to grant Anticipatory Bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) fairly submits that the respondent police seized 100 grams of Heroin from the petitioner and also submitted that no previous case is pending against the petitioner. However, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner and also considering the facts that the quantity of contraband is not a commercial quantity and though FIR has been registered in the year 2007, so far no steps have been taken to secure the petitioner and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties



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each for a like sum to the satisfaction of the learned Special Court for EC and NDPS Act, Pudukottai, and on further conditions that:

[b] the petitioner shall report before the Additional District and Sessions Judge, Pudukottai, daily at 10.30 am., until further orders.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].



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[g] If the accused thereafter absconds, a fresh FIR can be

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(P D B J)
06.04.2026

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TO

- 1.The learned Special Court for EC and NDPS Act,
Pudukottai,
- 2.The Superintendent of Customs,
Customs Division,
Ramanathapuram.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

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ORDER
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