



Crl.O.P.(MD)No.5662 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 5662 of 2026

Muhammed Shaharbil

... Petitioner

Vs

Union of India,
represented by the Intelligence Customs,
Air Intelligence Unit,
Madurai Airport,
Madurai.
In O.R.No.5 of 2026.

...Respondent/Complainant

For Petitioner : Mr.K.Vignesh
Advocate.

For Respondent : Mr.N.Dilipkumar
Special Public Prosecutor for Customs

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in O.R.No.5 of 2026 on the file of the respondent.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 10.02.2026 for the offences punishable under Sections 8(c) r/w. 20(b), 23(b) and 28 of NDPS Act, in O.R.No.5 of 2026, on the file of the respondent, seeks



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2.The case of the prosecution is that on 10.02.2026, the petitioner along with other accused allegedly attempted to smuggle 9.900 kgs. of ganja through a flight from Sri Lanka. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not involved in any offence as alleged in the FIR. The contraband was not recovered from this petitioner directly. The main accused in this case has been arrested and released on bail. Therefore, prayed to grant bail for the petitioner.

4. The learned counsel appearing for the respondent would submit that the offences are grave in nature. The petitioner along with other accused attempted to transport the contraband from Colombu. The quantity involved is a huge quantity. The petitioner is belongs to Kerala. Hence, he vehemently opposed the grant of bail to the petitioner. However, he has no previous case.

5. This Court heard both sides and perused the materials available on record.



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6. Considering the rival submissions made by the learned counsel on either side, considering the nature of offence, and no contraband was recovered from this petitioner directly, on the basis of the confession made by the co-accused, the petitioner was implicated in this case, as per the prosecution case, the entire contraband was recovered from A1 and A2, who are the main accused were arrested and released on bail that the petitioner has no previous cases and also considering the period of incarceration of the petitioner from 10.02.2026, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Special Court of NDPS Act Cases, Madurai and on further conditions that:

[b] the petitioner shall report before the respondent daily, **at 10.30 a.m., and 05.00 p.m. until further orders.**

[c] **the petitioner shall not left India without getting any permission from the concerned Court;**

[d] the petitioner shall not commit any offence similar to the



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offence of which he/she is accused, or suspected, or of the
commission of which he/she is suspected;

[e] the petitioner shall not abscond either during investigation
or trial;

[f] the petitioner shall not directly or indirectly make any
inducement, threat or promise to any person acquainted with the facts
of the case so as to dissuade her from disclosing such facts to the
Court or to any police officer or tamper with the evidence;

[g] 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].

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

(P D B J)
06.04.2026

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To

1.The Sessions Judge, Special Court of NDPS Act Cases, Madurai.



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2.The Intelligence Customs,
Air Intelligence Unit,
Madurai Airport,
Madurai.

3.The Superintendent, Central Prison, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 5662 of 2026

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