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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.04.2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.6681 of 2026

Mohammed Younus

... Petitioner/ Accused No.5

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
NIDCID Police Station,
Madurai District.
(In Crime No.11 of 2024)

... Respondent/ Complainant

PRAYER :-

To enlarge the petitioner on bail in connection with FIR NO.11 of 2024 registered by the respondent police, now pending at the Principal Special Court for trial of NDPS Act Cases, Madurai, in C.C.No.30 of 2025.

For Petitioner : Mr.K.Vignesh,
Advocate

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



judicial custody on 02.08.2024 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.11 of 2024 on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 01.08.2024 at about 10.30 am, on the secret information about the transportation of ganja from Andhrapradesh to Tiruchendur on the lorry and from there to Srilanka, the respondent police went to near Meenakshi Bhavan Hotel at Chinna Odaippu, Perungudi, and intercepted the a lorry bearing Reg.No.TN-52-B-4416 and a car bearing Reg.No.TN-42-AH-7267 On searching, the accused were found in illegal possession of 120 kg of ganja. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that no recovery was made from the petitioner and the petitioner has no previous case and only based on the confession



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made by the co-accused, the petitioner was arrayed as accused in this case and the petitioner has been arrested and remanded to judicial custody on 02.08.2024. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner on the ground that the quantity involved in this case is a commercial quantity and the petitioner is having 2 previous cases.

5. By way of reply, the learned counsel for the petitioner would submit that the previous cases against the petitioner were ended in acquittal.

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

7. Considering the rival submissions made by the learned counsel on either side, nature of offence, and though the quantity involved in this



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case is a commercial quantity, even according to the prosecution, contraband was recovered from the other accused not from the petitioner and the petitioner was arrayed as accused only based on the confession of the co-accused and though earlier the petitioner had 2 previous cases and the same were ended in acquittal and now no previous case is pending against the petitioner and considering the period of incarceration undergone by the petitioner, 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 **Principal Special Court for for trial of NDPS Act Cases, Madurai**, and on further conditions that:

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

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make



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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;

[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].

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

(P D B J)
30.04.2026

dss



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P. DHANABAL,J

DSS

To

- 1.The Principal Special Court for for trial of NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
NIDCID Police Station, Madurai District.
3. The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6681 of 2026

Date : 30.04.2026