



CRL OP(MD). No.9340 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/05/2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.9340 of 2026

Mahader Mohamed,

... Petitioner

Vs.

State of Tamilnadu Rep by
Inspector of Police,
Mandapam, Marine Police Station,
Ramanathapuram District.
Crime No.12 of 2026.

... Respondent

Petition filed under Section 482 BNSS/438 Cr.P.C.

PRAYER :- For Anticipatory Bail in Cr.No.12 of 2026 on the file of the
Respondent Police.

For Petitioner : Mr.B.Arun, Advocate.

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 8(c), 20(b), II(B) of NDPS Act, in Crime No.12 of 2026, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 29.03.2026, on secret information, the respondent police to went to the spot and found that the accused persons are in possession of 2.2 kgs of ganja illegally. 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. The petitioner is not present in the place of occurrence. The respondent went to the house of the A1 and arrested him. On his confession only, the petitioner was implicated in this case. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the offences are grave in nature. The FIR is only registered on 29.03.2026. This is the second anticipatory bail application and earlier application filed by the petitioner was dismissed on 07.04.2026 in CrI.O.P.(MD)No. 6812 of 2026. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.



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5. Considering the rival submissions on either side and considering the fact that the earlier anticipatory bail application was dismissed, since the investigation was in nascent stage and that the contraband is not a commercial quantity, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall 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 Additional District and Sessions Judge (Special Court for EC and NDPS), Pudukottai, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;



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

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

[d]the petitioner shall not abscond 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 is 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 of BNS.

06.05.2026

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1.The Additional District and Sessions Judge
(Special Court for EC and NDPS),
Pudukottai.

2.The Inspector of Police,
Mandapam Marine Police Station,
Ramanathapuram District.

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



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S.SRIMATHY,J

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