



CRL OP(MD). No.12016 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Syed Umar Sahib,
S/o. Haja Allavudeen,
R/o.9/21, Ojm
Street, Keezhakkarai,
Ramanathapuram
District-623 517.
(Now Confined at
Central Prison, Madurai).

... Petitioner/Accused No.1

Vs

Rep by the Intelligence Officer,
Union of India,
Narcotics Control Bureau,
Madurai Sub Zone,
Madurai.
(Ncb F.No.48/01/04/2022/mdu) .

... Respondent/Complainant

For Petitioner : Mr.Ravi
for Mr.T Balakrishnan,
Advocate.

For Respondent : Mr.C.Arulvadivel @ Sekar
Special Public Prosecutor



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PETITION FOR BAIL Under Sec.483 of BNSS

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C-32B. To enlarge the Petitioner/A1 on bail in CC.No.794 of 2023 on the file of the Learned Principal Special Court for NDPS Act Cases, Madurai.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 02.11.2022 for the offences punishable under Sections 8(C) r/w 20(b)(ii)(C), 24, 28 and 29 of NDPS Act, 1985, in Ncb F.No.48/01/04/2022/mdu on the file of the respondent-NCB, seeks bail.

2.The case of the prosecution is that based on the secret information received by the officials regarding the transportation of Ganja, the officials intercepted the vehicle near Old Bus Stand, Tuticorin, and conducted search at that time, they found that the accused persons were in illegal possession of 4.440 kgs of Harshish Oil. Hence the case.

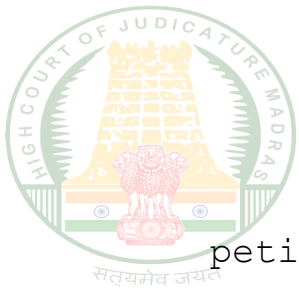
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4. The learned Special Public Prosecutor appearing for the respondent would submit that



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petitioner along with other accused were found in illegal possession of 4.440kgs of Hashish oil which is a commercial quantity. There are materials available as against the petitioner. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side and the fact that though the contraband involved in this case is a commercial quantity and the petitioner is in custody from 02.11.2022 and co-accused was already granted bail and so far trial has not been commenced and also taking into consideration the judgment relied on by the learned counsel appearing for the petitioner in the case of **Ankur Chaudhary.vs. State of Madhya Pradesh in**

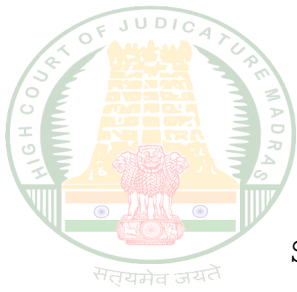


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Special Leave to Appeal (crl.) No.4648 of 2024,

Wherein the Hon'ble Supreme Court has observed that it is to observe that failure to conclude the trial within a reasonable time in prolonged incarceration militates Article 21 of the Constitution of India and as such conditional liberty overriding the statutory embargo created under Section 37(1)(b) of the NDPS Act, in such circumstances, be considered. In the case of hand also the case is posted for trial and so far the trial has not been concluded and there is no scope to conclude the trial within the short time, 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 learned Principal



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WEB COPY and on further conditions that:

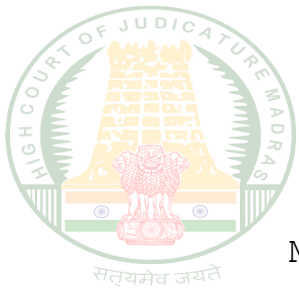
[b] the petitioner shall report before the trial Court on daily at 10.30 a.m., and 5.30 pm., until further orders.

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

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

[e] 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;

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



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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)
25.06.2026

VSG



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- 1.The learned Principal Special Court for NDPS Act Cases, Madurai.
2. The Superintendent, Central Prison, Madurai.
- 3.The Intelligence Officer,
Union of India,
Narcotics Control Bureau,
Madurai Sub Zone,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J. ,

VSG

ORDER
IN
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