



CRL OP(MD) . No.11702 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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Mohamed Ajim Basha,
S/o. Mohamed Moosa,
No. 2/1, Al
Arafath Nagar,
Labbaikudikadu,
Kunnam Taluk,
Perambalur District..

... Petitioner/Accused No.4

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District.
(In Crime No. 261 of 2025).

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

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ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded to judicial custody on 06.10.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, 1985 in Crime No. 261 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 05.10.2025, at about 11.50 p.m., when the respondents police were in patrol duty, they found that the petitioner and other accused were in illegal joint possession of 20 kgs of ganja. Hence the case.

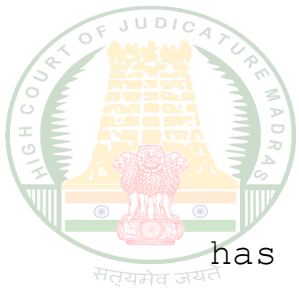


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3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner was in separate possession of 2.057 kgs of ganja only. He would further submit that he has been arrested and remanded to judicial custody on 06.10.2025. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner and other accused were in illegal possession of 20 kgs of ganja, due to which the case has been registered for the offences punishable under Sections 8(c) r/w 20(b) (ii)(C) of NDPS Act, 1985 in Crime No. 261 of 2025. He would further submit that the petitioner

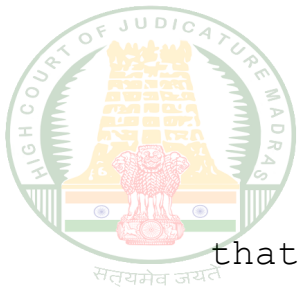


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has one previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioner.

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, nature of offence, and though as per prosecution, the quantity of contraband involved in this case is a commercial quantity, the contraband was recovered through separate mahazar and the same has been clubbed together and as far as this petitioner is concerned, the alleged contraband recovered is 2.057 kgs and the same is not a commercial quantity and the material part of the investigation might have been completed and though the petitioner has one previous case, in

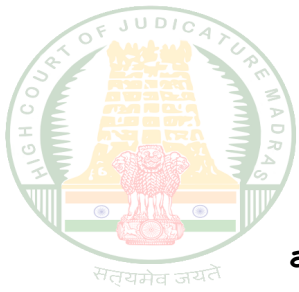


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that case, he was released on bail and also considering the period of incarceration undergone by the petitioner from 06.10.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[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 Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, and on further conditions that:

[b] the petitioner shall report before the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, on all working days at 10.30



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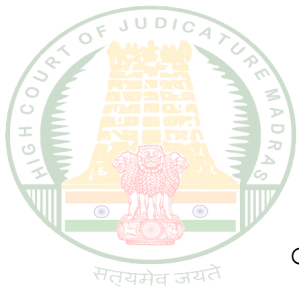
a.m., and 05.00 p.m., until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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 Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the



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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

TO

- 1.The learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.
2. The Superintendent, Central Prison, Trichy.
- 3.The Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District.
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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