



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.04.2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.22495 of 2025

Mohammed Sulthan

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu Rep by,  
The Superintendent of Customs,  
Central Intelligence Unit,  
Trichy.  
(O.R.No.65/23-24-CIU)

... Respondent/ Complainant

PRAYER :-

To release the petitioner on bail in C.C.No.136 of 2024 on the file of the Principal Special Court for EC and NDPS Act Cases, Pudukottai, in connection with O.R.No.65/23-24-CIU, Trichy, on the file of the respondent police.

For Petitioner : Mr.S.M.A.Jinnah,  
Advocate

For Respondent : Mr.S.Gurumoorthy,  
Special Public Prosecutor for Customs

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



WEB COPY

judicial custody on 25.04.2024 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25, 28 and 29 of NDPS in O.R.No. 65/23-24-CIU on the file of the respondent, seeks bail.

2. The case of the prosecution is that on secret information, the respondent conducted a raid at two sheds of the petitioner comprised in S.Nos.63/21, 63/22, 63/24 and 63/25 at Mimisal Village and found 872 kg of ganja through 44 bags. 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 this is the second bail petition and the earlier petition filed by the petitioner was dismissed by this Court on 20.03.2025 and the petitioner is only the owner of the sheds and A1 has also taken the said sheds for lease and no previous case is pending against the petitioner and the petitioner has been arrested and remanded to judicial custody on 25.04.2024. Therefore, prayed to grant bail for the petitioner.

4. The learned Special Public Prosecutor appearing for the respondent would submit that 872 kg of ganja was found in the two sheds



WEB COPY

of the petitioner and the quantity involved in this case is a commercial quantity and this is the second bail petition and the earlier petition filed by the petitioner was dismissed by this Court and there are no change of circumstance. Hence, he strongly opposed to grant bail to the petitioner. He would further submit that some of the witnesses have already been examined.

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 the contraband involved in this case is a commercial quantity, the contraband was not procured by this petitioner and the entire contraband was only procured by other accused and the allegation as against the petitioner is that he only the owner of the shed in which the contraband was seized and according to the petitioner, the shed was leased to A1 and the petitioner also appeared for enquiry and already some of the witnesses were examined and no previous case is pending against the petitioner and considering the period



WEB COPY

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 learned **Special Court for EC Act and NDPS Act Cases, Pudukottai**, and on further conditions that:

[b] the petitioner shall report before the **trial Court daily at 10.30 a.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 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



WEB COPY

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

To

- 1.The Special Court for EC Act and NDPS Act Cases, Pudukottai.
- 2.The Superintendent of Customs,  
Central Intelligence Unit, Trichy.
3. The Superintendent, Central Jail, Trichy.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



WEB COPY



P. DHANABAL,J

DSS

ORDER  
IN  
CRL OP(MD) No.22495 of 2025

Date : 30.04.2026