

*Crl.O.P.(MD)Nos.11545 and 14366 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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( Criminal Jurisdiction )

Date : 20.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

**CRL OP(MD). Nos.11545 and 14366 of 2026**

R.Karthi @ Periyamachi @ Sanjay

...petitioner in Crl.O.P.(MD).No.11545 of 2026

D.Vinoth @ Paruppu Vinoth

...petitioner in Crl.O.P.(MD).No.14366 of 2026

Vs

State of Tamil Nadu rep. by

The Inspector of Police,

PEW Madurai City,

Madurai District.

(Crime No.252 of 2026)

...Respondent/Complainant in both petitions

For petitioners : Mr.NA.Mani Maran

Advocate

For Respondent : Mr.N.Balasubramanian

Counsel for State of TN (Crl. Side)

in Crl.O.P.(MD).No.11545 of 2026

Mr.T.Lenin Kumar

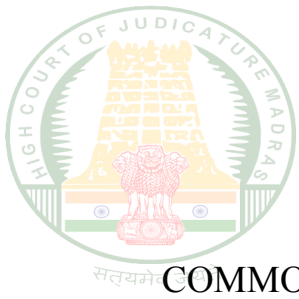
Counsel for State of TN (Crl. Side)

in Crl.O.P.(MD).No.14366 of 2026

PETITIONs FOR BAIL Under Sec.483 of BNSS

**COMMON PRAYER :-**

For Bail in Cr.No. 252 of 2026 on the file of the respondent police.



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**COMMON ORDER :** The Court made the following order :-

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The petitioners / Accused, who were arrested and remanded to judicial custody on 02.03.2026 and 09.06.2026 respectively, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(c), 29(1) of NDPS Act, in Crime No.252 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners, who are the gang members are used to bring ganja and sell it in various places across Madurai. It is further stated that as per their conspiracy among them on 10.11.2025, 54 kgs. of ganja was brought from Karnataka to Tamil Nadu and it was kept inside the house of A1 in this case. As per their needs and demand they sold it as small bags to various persons. Subsequently, on prior information the police searched the premises of A1 to A3 on 15.11.2025 and recovered 23 kgs. of ganja. Based on the statement recorded from them the role of these petitioners were revealed and they were also added as accused. A6 was arrested on PT warrant on 13.02.2026 and A5 was arrested on 09.06.2026.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. The learned



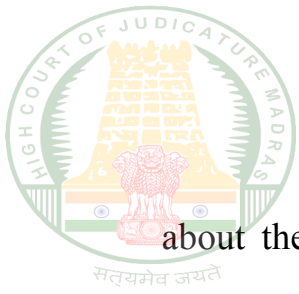
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counsel for the petitioners further submitted that since the petitioners herein are having some connection with some notorious rowdy persons, they were falsely implicated in this case. No recovery is effected from these petitioners. Except the confession statements of the co-accused no other material is against them. Since, there is no legally admissible material is there, Section 37 of the NDPS Act is satisfied by them. The petitioners are in custody from 02.03.2026 and 09.06.2026 respectively and ready to abide any condition imposed by this Court. Hence, he prayed bail for the petitioners.

4.The learned Counsel appearing for the State reiterated the prosecution case and reported that the petitioners were added as accused based on the statement recorded from arrested accused. He would further submit that there were regular and frequent phone calls between the petitioners and other accused. He also forwarded the copy of the statement and the final report. Hence, prays to dismiss the bail application.

5.Heard both sides and perused the available materials on record.

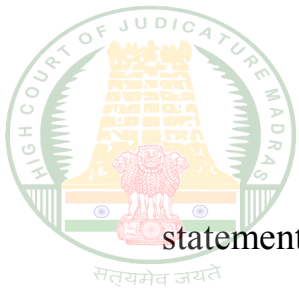
6.I have carefully considered the copy of the final report and also the statement from the other accused. Though it is stated that all the accused knew



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about the possession of ganja in the hands of A1's house and possession of other accused, admittedly, they have not present at the time of search and seizure from A1 to A3. Based on the statement recorded from A1 to A3 these petitioners were added as accused. Apart from that, on a careful perusal of the final report, it is seen that the prosecution has alleged that the accused were in frequent contact with one another during the relevant period. However, in the list of witnesses, only L.W.1 and L.W.2 are the officials, who were involved in the search and seizure of the contraband. L.W.3 is the Scientific Officer, who conducted the chemical analysis of the seized contraband. L.W.5 and L.W.6 are the witnesses, who speak about the subsequent arrest of the accused and the filing of the final report. Though the prosecution has stated that there are materials to establish the connection between the petitioner and the contraband, on a careful perusal of the final report, no witness has been cited to speak about the alleged connection between the petitioner and the contraband or his alleged association with A1 to A3. Further, the prosecution has primarily relied upon the confessional statements of the co-accused to implicate the petitioner in the present case.

7.The Hon'ble Supreme Court in **Tofan Singh Vs State of Tamil Nadu** has declared that statement recorded under Section 67 of NDPS Act or the



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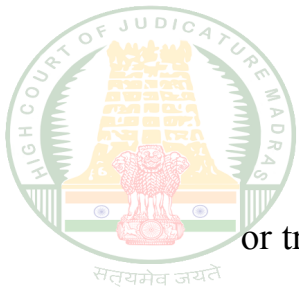
statement recorded by police alone is not sufficient to link the accused with the contraband. Since, there is no material or prima facie evidence available against the accused, except the confession relied on by the prosecution to link the accused, I am of the view that the first limb of Section 37 of NDPS Act has been satisfied by the petitioner herein. Hence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties each for a like sum to the satisfaction of the learned **Additional District Judge/Principal Special Court for Trial of EC and NDPS Act Cases, Madurai**, and on further conditions that:

[b] the petitioners shall **report before the Additional District Judge/Principal Special Court for Trial of EC and NDPS Act Cases, Madurai, at 10.30 a.m., on all working days for a period of six weeks, thereafter as and when required for interrogation;**

[c] the petitioners 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 petitioners shall not abscond either during investigation



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or trial;

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[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 51730].

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

(K R S J)  
20.07.2026

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To

1.The Additional District Judge/Principal Special Court for Trial of EC and NDPS Act Cases, Madurai.

2.The Inspector of Police,  
PEW Madurai City,  
Madurai District. (Crime No.252 of 2026)

3.The Superintendent, District Jail, Dindigul.

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



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**K. RAJASEKAR, J.**

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ORDER  
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