



CRL OP(MD). No.12101 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2026

PRESENT

The HONOURABLE **MR. JUSTICE K. RAJASEKAR**

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Prem @ Premkumar,
S/o. Hari,
Door No. 82/2, Jeeva Nagar
2nd Street Last, Jaihindpuram,
Madurai City..

... Petitioner/Accused No.2

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
Jaihindpuram Police Station,
Madurai District
(Crime No. 285 of 2020).

... Respondent/Complainant

For Petitioner : Mr.Somasundarapandiyarajan.N.K,
Advocate.

For Respondent : Mr.T.Lenin Kumar,
Counsel for State of TN (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- C-32B. To enlarge the petitioner/accused no. 2 on bail C.C.No. 223 of 2020 in Crime No. 285 of 2020 on the file of the learned Additional Special Court for NDPS, Madurai...

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 11.06.2026 for the alleged offence under Sections **8(c) r/w 20(b)(ii)(C) and 29(i) of NDPS Act, 1985** in C.C.No.223 of 2020 on the file of the learned Additional Special Court for NDPS, Madurai in connection with Crime No.285 of 2020 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is involving in possession and trafficking of 22 kgs of Ganja. Hence, the petitioner ranked as A2 was arrested and subsequently, he was released on statutory bail in the year 2020. Thereafter, he was regularly appeared before the trial Court. Since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued on 30.01.2025 and the same was executed on 11.06.2025 and he is in judicial custody for more than one year.



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3. The learned counsel for the petitioner submitted that the petitioner was absent on the date of hearing due to ill health. Since he did not appear before the trial Court, a non-bailable warrant was issued on 30.01.2025, which was subsequently executed on 11.06.2025. He further submitted that the petitioner is in incarceration for more than one year, and that the trial has not progressed. He also submitted that the petitioner is ready to cooperate with the trial proceedings. Hence, he prayed for the grant of bail to the petitioner.

4. The learned Counsel for the State of TN (Crl. Side) appearing for the respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner and the same was executed on 11.06.2025. He would further submit that the case in C.C.No.223 of 2020 on the file of the learned Additional Special Court for NDPS, Madurai, is posted for cross examination of L.W.2. Hence, he strongly opposed to grant bail to the petitioner.

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



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6. Admittedly, the petitioner was earlier arrested and subsequently released on default bail. He regularly appeared before the trial Court from the year 2020 to 2025, for nearly five years, and thereafter absconded. After six months, he was arrested, and the trial is now progressing. Considering the fact that the petitioner is in custody for more than one year and earlier he had availed bail, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the **learned I Additional Special Court for Trial of NDPS Act Cases, Madurai**, and on further conditions that:

[b] **the petitioner shall report before the learned I Additional Special Court for Trial of NDPS Act Cases, Madurai, on all working days at 10.30 a.m., for a period of six weeks.**



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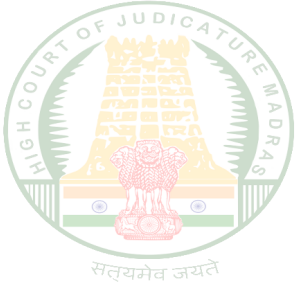
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[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

[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 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].



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[g] If the accused thereafter absconds, a fresh FIR can

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(K R S J)
07.07.2026

vsg

TO

- 1.The learned I Additional Special Court for Trial of NDPS Act Cases,
Madurai.
2. The Superintendent, Central Prison, Madurai.
- 3.The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR,J.,

vsg

ORDER
IN
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