

Crl.O.P.(MD)No.12145 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 12145 of 2026

T.Elango

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kanniyakumari Police Station,
Kanniyakumari District.
(Crime No.194 of 2025)

...Respondent/Complainant

For Petitioner : Ms.P.Krishnaveni
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 194 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 17.09.2025, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C), 25 and 29(1) of NDPS Act, in Crime No.194 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner is arrayed as A5 in this case. It is alleged that the petitioner is the main accused, who procured 30.090 kilograms of ganja from his known source, brought the same to Tirunelveli, and trafficked it to Kanniyakumari District by engaging A1 to A4 and one child in conflict with law. Accordingly, on 07.05.2025, A1 to A4, along with the child in conflict with law, were allegedly transporting the said contraband on the Kanniyakumari–Anjugramam Road, near Arulmigu Perumal Samy Temple, when they were intercepted by the respondent police. The respondent seized the contraband from their possession. Based on the statements recorded from A1 to A4, the alleged role of the petitioner in the trafficking of the contraband was also unearthed. Consequently, the petitioner was arrayed as A5 in 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 now the investigation has been completed and the final report was also filed and in the final report, it has been only stated that based on the confession statement of the co-accused, this petitioner has been added as accused. Apart



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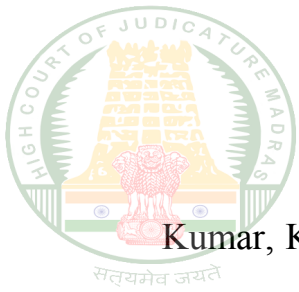
from that no other material has been produced to implicate this petitioner before the trial Court. The petitioner is in custody from 17.09.2025 and ready to abide any condition imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Counsel appearing for the State reiterated the prosecution case and reported that except the confession statement of the co-accused, no other material was produced before the trial Court. Further he would submit that the quantity involved in this case is commercial quantity. He opposed the grant of bail to the petitioner.

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

6. The Hon'ble Apex Court in ***Tofan Singh v. State of Tamil Nadu reported in (2013) 16 SCC 31*** held that merely on the confession of co-accused, a person cannot be prosecuted and his statement under Section 67 of NDPS Act, is akin to Section 27 of Indian Evidence Act to prove recovery fact alone and nothing more.

7. In the present case, similarly placed co-accused, namely, Manoj



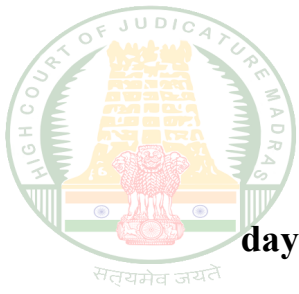
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Kumar, Karthikeyan, and Vignesh, who were also arrayed as accused solely on

the basis of the confession statements, have been granted bail by this Court. In particular, Manoj Kumar, who is similarly placed to the petitioner herein and was also implicated solely on the basis of the confession statement, was granted bail by this Court in Crl.O.P.(MD) No.23748 of 2025. In view of the Judgment of the Honourable Apex Court cited Supra, since except the confession statement of the co-accused, there is no other material has been produced to implicate this petitioner as an accused, which is in admissible evidence and similarly placed accused also granted bail by this Court, this Court is inclined to extend the benefit of the bail to this petitioner also subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **II Additional District and Sessions Judge, II Additional Special Court for EC and NDPS Act Cases,, Madurai**, and on further conditions that:

[b] the petitioner shall **appear before learned II Additional District and Sessions Judge, II Additional Special Court for EC and NDPS Act Cases,, Madurai, at 10.30 a.m., on all working**



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days, until further orders:

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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;

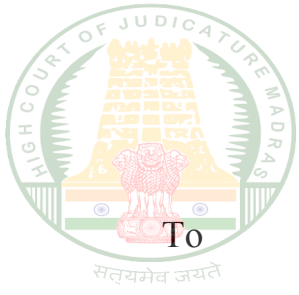
[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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 51730].

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

(K R S J)
09.07.2026

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- 1.The II Additional District and Sessions Judge, II Additional Special Court for EC and NDPS Act Cases,, Madurai.
- 2.The Inspector of Police,
Kanniyakumari Police Station,
Kanniyakumari District. (Crime No.194 of 2025)
- 3.The Superintendent, Central Prison, Palayamkottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR, J.

TM

ORDER
IN
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