



CRL OP(MD). No.12817 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 30/06/2026

CORAM

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No.12817 of 2026

Marbin

... Petitioner/ Accused No.1

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.
Crime No. 318 of 2021.

... Respondent/ Complainant

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest in C.C. NO. 109 of 2024 in Crime No. 318 of 2021 on the file of 2nd Additional District Judge for NDPS Act Cases, Madurai and thus render justice.

For Petitioner : J Jeya Aron Raja,
Advocate.

For Respondent : Mr.P.Vetrivel,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under

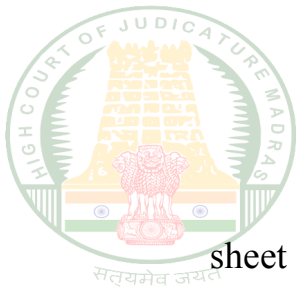


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Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act, in Crime No. 318 of 2021, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that on 15.07.2021 at about 14.45 hours, the petitioner herein joining hands with the other accused involved in transportation of 21 kg of ganja in a two wheeler bearing Reg.No.TN-75-M-4298 and on prior information, the police party intervened and stopped the accused. However, A1 and A3 ran away from the scene of occurrence and A2 was caught red-handed and he was found in possession of 21 kg of ganja, which is commercial quantity. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that this is the third anticipatory bail petition and the first anticipatory bail petition filed by the petitioner was dismissed by this Court on 11.11.2022 and second petition was withdrawn by the petitioner on 11.12.2025. He further submitted that absconding charge



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sheet was filed only as against the petitioner herein and he is ready to co-operate with the trial process. Hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions, reported that the quantity involved in this case is 21 kg of ganja, which is a commercial quantity and this is the third anticipatory bail petition and there is no change of circumstances and already absconding charge sheet was filed and Non-bailable Warrant is also pending against the petitioner and the petitioner has 7 previous cases and among them, 4 cases are similar in nature. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. I have gone through the FIR and also the connected materials.

6. Reading of the FIR reveals that on 15.07.2025 at about 14.45 hours, on prior information, the respondent police conducted a vehicle



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search and found the petitioner and two others travelling in a two-wheeler. After seeing the police party, the petitioner and other accused ran away from the scene of occurrence, and one of the accused was arrested, and case was registered. Since it is a case of commercial quantity, the petitioner has failed to satisfy the conditions contemplated under Section 37 of the NDPS Act for getting anticipatory bail, and though non-bailable warrant has been issued against the petitioner, there is no ground to show that the entitlement of bail to satisfy under Section 37 of the NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

30.06.2026

dss



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To

- 1.The 2nd Additional District Judge for NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR,J

DSS

ORDER
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