

Crl.O.P.(MD)No.13628 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 13628 of 2026

M.Ramachandran

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
NIB CID, Nagapattinam Police Station,
Nagapattinam District.
(Crime No.3 of 2026)

...Respondent/Complainant

For Petitioner : Mr.N.Mani Maran
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. 3 of 2026 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 12.06.2026, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C), 25 and 29(1) of NDPS Act and Section 123 of BNS, in Crime No. 3 of 2026 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, on receiving prior information about the smuggling of ganja in two cars, the respondent police intercepted both the vehicles near PR. Puram beach Tar Road, Velankanni Sub-Division, at about 7.30 a.m. a search was conducted, during which, a total of 140 kilograms of ganja was recovered from both the vehicles. Accused Nos.1 to 4 were arrested. Based on the confession statements of the co-accused, the present petitioner was arrayed as an accused. According to the prosecution, the petitioner is one of the main accused in the conspiracy and had actively participated in procuring and transporting the ganja. It is alleged that the petitioner, along with the other accused, transported the contraband and attempted to smuggle it to Sri Lanka. Subsequently, the petitioner was arrested and remanded to judicial custody.

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 submitted that the petitioner has been implicated solely on the basis of the confession statement of one of the co-accused. Except for the said confession, no other material has been placed on record, even at the time of filing the final



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report. Though the prosecution has stated that a mobile phone was recovered from the petitioner, the same has not been subjected to forensic examination.

No Call Detail Records (CDRs) have been collected, nor has any other material been produced to establish any connection between the petitioner, the other accused, or the contraband. It was therefore contended that the petitioner has been falsely implicated and that there is no legally admissible material connecting him with the alleged offence. The learned counsel further submitted that the twin conditions under Section 37 of the NDPS Act was satisfied and, therefore, the petitioner is entitled to be enlarged on bail. Hence, he prays for bail to the petitioner.

4. The learned Counsel appearing for the State reiterated the prosecution case and by filing a counter affidavit, submitted that though the petitioner was arrested based on the confession statement of the co-accused, the investigation also revealed his active participation in the occurrence. It was further submitted that the petitioner's mobile phone had been recovered and that the Call Detail Records had been sought from the concerned Nodal Officer. However, since the petitioner was arrested only recently, the CDR report had not been received by the time the final report was filed. The final report has since been taken on file in C.C. No. 59 of 2026 on the file of the Additional District Judge, Special



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Court for NDPS Act Cases, Thanjavur. Hence, he opposed the grant of bail to the petitioner. He would further submit that the petitioner has no previous case.

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

6.I have carefully perused the final report. Admittedly, the petitioner has been implicated primarily on the basis of the confession statement of the co-accused. As on date, no independent material has been produced before the trial Court connecting the petitioner with the alleged offence. Though the prosecution has stated that efforts were made to obtain the Call Detail Records after recovering the petitioner's mobile phone and that the report could not be obtained before filing the final report, the fact remains that no incriminating material, apart from the confession statement of the co-accused, has been produced before the trial Court. It is also not in dispute that the petitioner is not involved in any other criminal case. The petitioner has expressed his willingness to cooperate with the trial and to abide by any condition that may be imposed by this Court. 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 statement recorded by police alone is not sufficient to link the



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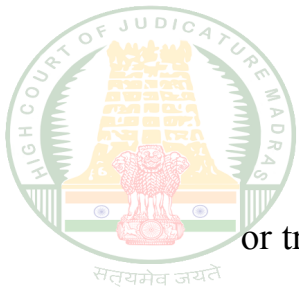
accused with the contraband. Since, there is no material or prima facie evidence available against the accused, except the confession relied on by the prosecution to link the accused, I am of the view that the first limb of Section 37 of NDPS Act has been satisfied by the petitioner herein. The petitioner has no previous case. Hence, 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.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Additional District and Sessions Judge, /Presiding Officer, Special Court for Essential Commodities Act Cases, Thanjavur**, and on further conditions that:

[b] the petitioner shall **appear before learned Additional District and Sessions Judge, /Presiding Officer, Special Court for Essential Commodities Act Cases, Thanjavur, at 10.30 a.m., on all working days, 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



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or trial;

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[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.

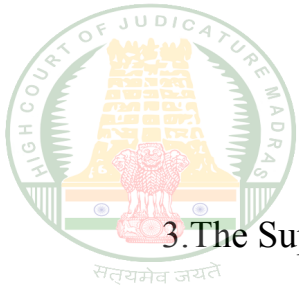
(K R S J)
15.07.2026

TM

To

1.The Additional District and Sessions Judge, /Presiding Officer, Special Court for Essential Commodities Act Cases, Thanjavur.

2.The Inspector of Police,
NIB CID, Nagapattinam Police Station,
Nagapattinam District. (Crime No.3 of 2026)



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3. The Superintendent, Central Prison, Trichy.

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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