



CRL OP(MD). No.14499 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/08/2026

CORAM

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No.14499 of 2026

Manikandan

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu Rep By,

The Inspector of Police,

Thenkarai Police Station

Theni District.

(Crime No.390 of 2026).

... Respondent/ Complainant

PRAYER :-

For Bail in Crime No.390 of 2026 on the file of the Respondent Police.

For Petitioner : K.Srinivasaragavan,
Advocate.

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

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



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judicial custody on 13.05.2026, for the offences punishable under Sections 8(c) and 20(b)(ii)(B) & 29 of NDPS Act, in Crime No.390 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.05.2026, the petitioner was found in possession of 7.580 kgs of ganja and originally, the petitioner, who was treated as a child in conflict of law, was remanded and produced before the Juvenile Justice Board based on the Aadhaar Card produced. However, subsequently, it was revealed that the petitioner is not a child in conflict of law and that his date of birth is 20.04.2007, as per the school records. Hence, thereafter, he was produced before the regular Magistrate 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 submit that the contraband involved in this case is not a commercial quantity. Hence, Section 37 of the NDPS Act is not applicable to this case and the petitioner has no previous case and he is in



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custody from 13.05.2026 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 the investigation in this case is still pending and the petitioner has no previous case. If he is released out of bail, again he will indulge in similar activities. He opposed the grant of bail to the petitioner.

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

6. This Court called for a report from the concerned Magistrate, who remanded the petitioner to judicial custody, and the Magistrate has also submitted a report regarding the clarification of the petitioner's age, which is placed on record.

7. Considering the facts and circumstances of the case, nature of offences, and also considering the facts that the petitioner has no previous case, and the quantity involved in this case is not a commercial



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quantity, hence, Section 37 of the NDPS Act will not applicable to this case, and also considering the period of incarceration, I am inclined to grant bail to the petitioner 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. 15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Principal Special Court for NDPS Act Cases, Madurai**, and on further conditions that:

[b] the petitioner shall **report before the jurisdictional Magistrate at 10.30 a.m., on all working days, for a period of three weeks, thereafter as and when required for interrogation;**

[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



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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.

06.08.2026

dss



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K. RAJASEKAR,J

dss

To

- 1.The Principal Special Court for NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
Thenkarai Police Station, Theni District.
- 3.The Superintendent, Thekkampatti Prison, Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date : 06/08/2026