

Crl.O.P.(MD)No.14170 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 14170 of 2026

Kannan

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.
(Crime No.44 of 2025)

...Respondent/Complainant

For Petitioner : Mr.A.Syed Sulthan Alaudheen
for Mr.S.Mariselvam, 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. 44 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 19.02.2026, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C), and 29(1) of NDPS Act, in Crime No.44 of 2025 on the file of the respondent police, seeks bail.

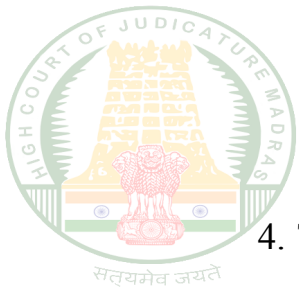


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2. The case of the prosecution is that, on prior information, the respondent police conducted surveillance on the Vedaranyam–Nagapattinam Road near PR.Puram - Periyar Nagar Metal Road. At that time they intercepted A1 and A2. After complying with the mandatory provisions under the NDPS Act, the respondent police recovered 24.450 kilograms of ganja from them. It is further revealed that A1 and A2 had purchased the contraband from A3 for the purpose of handing it over to A4, the present petitioner. Accordingly, the petitioner was arrayed as A4 and arrested. He is now in 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 only material available against the petitioner is the confession statement of the co-accused and that there is absolutely no material to connect the petitioner with the contraband. It was further submitted that the petitioner has been in custody from 19.02.2026, that the investigation has been completed, and that he is ready to co-operate with the trial. Therefore, he prayed for grant of bail.



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4. The learned Counsel appearing for the State reiterated the prosecution case and submitted that the investigation has been completed and the final report has already been filed. The case has been taken on file in C.C. No.13 of 2026 and the trial is pending before the trial Court. He would further submit that Section 37 of the NDPS Act is squarely application to this case and therefore, the petitioner is not entitled to bail. The petitioner has 9 previous cases. Hence, he oppose the grant of bail to the petitioner.

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

6. I have carefully gone through the FIR, the final report and the other materials available on record. A perusal of the final report reveals that only five witnesses have been cited by the prosecution. Among them, one witness is the Forensic Expert, three witnesses are cited to speak about the search, seizure and recovery of 24.450 kilograms of ganja from A1 and A2, and the fifth witness is the Investigating Officer, who has been cited to speak about the arrest of the petitioner. Except these witnesses, no other material has been placed on record by the respondent police to connect the petitioner with the occurrence. Though the learned Government Advocate submitted that the petitioner is involved in



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certain previous criminal cases, it is seen that all those cases relate only to offences under the IPC.

7. 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 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, therefore, considering the above facts, particularly that the petitioner has been in prolonged incarceration, this Court is 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.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Keelvelur**, and on further conditions that:

[b] the petitioner shall **appear before learned District Munsif cum Judicial Magistrate, Keelvelur, at 10.30 a.m., on all working days, until further orders:**

[c] the petitioner shall not commit any offence similar to the



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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)
22.07.2026

TM

To

1.The District Munsif cum Judicial Magistrate, Keelvelur.



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- 2.The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District. (Crime No.44 of 2025)
- 3.The Superintendent, Sub Jail, Nagapattinam.
- 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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