

Crl.O.P.(MD)No.14413 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 14413 of 2026

Naveen

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
PEW Police Station,
Cuddalore District.
(Crime No.905 of 2025)

...Respondent/Complainant

For Petitioner : Mr.P.Ganapathi Subramanian
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. 905 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 26.11.2025, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C), and 29(1) of NDPS Act, in Crime No.905 of 2025 on the file of the respondent police, seeks bail.

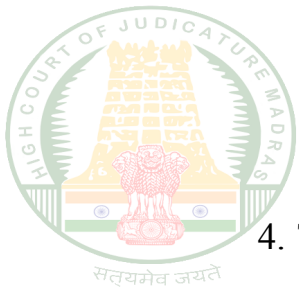


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2. The case of the prosecution is that on 24.11.2025 at about 8.15 hours, on prior information, the respondent police conducted raid at Muneeshwarar Kovil, Near Railway Station, Cuddalore. At that time, they intercepted A1 to A4 and made search upon them and recovered 21 kilograms of ganja from them by complying the mandatory provisions and their statements were also recorded, which reveals that this petitioner has paid a sum of Rs.20,000/- for purchasing the ganja. Hence, this petitioner was also arrested.

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 this petitioner has been included as accused only on the basis of the confession statements of the co-accused. Apart from that there is no other material has been produced. The petitioner has been added as one of the accused in another case. Further in both the cases it is alleged that the petitioner has paid some money and based on confession statement of the co-accused this petitioner has been arrested in another case in Crime No.69 of 2025 and he was granted bail in that case also. Hence, he prays for bail to the petitioner.



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4. The learned Counsel appearing for the State reiterated the prosecution case and reported that investigation in this case has been concluded and final report has also been filed. According to him, the petitioner paid a sum of Rs.20,000/- to other accused for the purchase of ganja in a Car. He instigated other accused to purchase ganja. The mobile phones used by the accused were also seized. Hence, he opposed to grant bail to the petitioner.

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

6. This Court has carefully perused the final report. It is seen that the prosecution has cited 20 witnesses. LW1 to LW6 are the witnesses to speak about the interception of the accused and recovery of ganja, LW7 and LW8 are the witnesses to speak about the giving the sample of ganja for forensic examination. LW10, LW11 and LW12 are the witnesses to speak about the forensic examination conducted by them. LW13 is to speak about the bank statement of the accused. LW14 and LW16 are to speak about the CDR particulars. LW15, LW17 to LW20 are the witnesses to speak about the arrest of the petitioners and filing of final report in this case. However, there is no material evidence to speak about the petitioner's possession of any phone



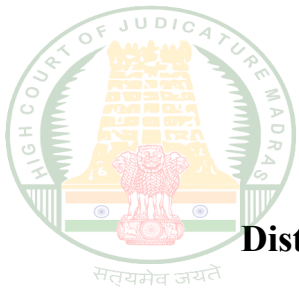
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number or to speak about the bank transactions between the petitioner or any other accused.

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, that the trial has not made substantial progress, though one previous case is reported, in that case also he was granted bail, 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 **Additional District and Sessions Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur**, and on further conditions that:

[b] the petitioner shall **appear before learned Additional**



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District and Sessions Judge/Presiding Officer, Special Court

under Essential Commodities Act, 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 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].



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[g] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 BNS.

(K R S J)
28.07.2026

TM

To

- 1.The Additional District and Sessions Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.
- 2.The Inspector of Police,
PEW Police Station,
Cuddalore District. (Crime No.905 of 2025)
- 3.The Superintendent, Central Prison, Cuddalore.
- 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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