

CRL OP(MD). No.15692 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29/07/2026

CORAM

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No.15692 of 2026

1. Nanthakumar

2. Chinraj

... Petitioners/ Accused No.1&2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
Crime No.526 of 2023.

... Respondent/ Complainant

PRAYER :-

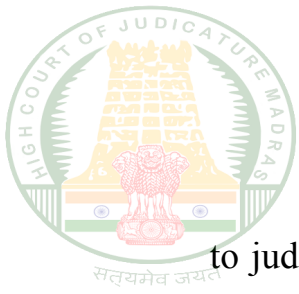
To enlarge the petitioners No.1 and 2 on bail C.C.No.585 of 2023 on the file of the district Sessions court (Communal clash cases courts), Madurai (FAC) in connection with FIR in Cr.No. 526/2023 on the file of respondent police and thus render ...

For Petitioners : M.Karunanithi,
Advocate.

For Respondent : Mr.T.Lenin Kumar,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioners/Accused No.1&2, who were arrested and remanded



CRL OP(MD). No.15692 of 2026

to judicial custody on 18.06.2026 for the alleged offence under Sections 8(c) and 20(b)(ii)(B), 25, 29(i) of NDPS Act, 1985, r/w Section 77 of JJ Act, in Crime No.526 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 18.12.2021, the petitioners were found in illegal possession of 1.250 kg of illicit contraband article. Hence, the complaint has been registered and the petitioners were arrested. After released on bail, due to the non-appearance of the petitioners, non-bailable warrant was issued against them on 20.05.2026 and they surrendered before the Trial Court on 18.06.2026. Hence, this petition.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that though non-bailable warrant was issued against



CRL OP(MD). No.15692 of 2026

them on 20.05.2026, he was voluntarily surrendered on 18.06.2026 and from onwards they are in custody and the quantity involved in this case is a intermediate quantity and Section 37 of the NDPS Act is not applicable to this case. Hence, he prayed for grant of bail to the petitioners.

4. The learned Counsel for State of TN (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioners were found in illegal possession of 1.250 kgs of illicit contraband article. He further submitted that due to the non-appearance of the petitioners, non-bailable warrant was issued against them on 20.05.2026 and they surrendered on 18.06.2026. If they released on bail, there is a possibility of absconding. Hence, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the fact that the quantity recovered is a intermediate quantity and Section 37 of



CRL OP(MD). No.15692 of 2026

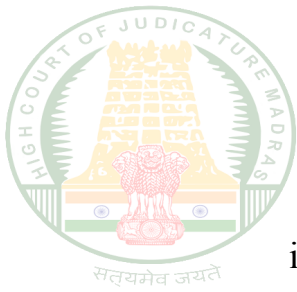
the NDPS Act is not applicable to this case and considering the the period of incarceration undergone by the petitioners from 18.06.2026, this Court is inclined to grant bail to the petitioners subject to certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each for a like sum to the satisfaction of the **District Sessions Court (Communal Clash Cases Court), Madurai (FAC)**, and on further conditions that:

[b] **the petitioners shall report before the District Sessions Court (Communal Clash Cases Court), Madurai (FAC), on all working days at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation before the respondent Police.**

[c] the petitioners 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 petitioners shall not abscond either during



CRL OP(MD). No.15692 of 2026

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investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

29.07.2026

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CRL OP(MD). No.15692 of 2026

K. RAJASEKAR,J

dss

TO

- 1.The District Sessions Court (Communal Clash Cases Court),
Madurai (FAC),
2. The Superintendent, Central Prison, Madurai.
- 3.The Inspector of Police,
Thirumangalam Town Police Station, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.15692 of 2026

Date : 29/07/2026