



CRL OP(MD). No.13234 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 26.08.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13234 of 2025

Sarathkumar

..Petitioner/ Accused No.4

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
PEW Uthamapalayam Police Station,
Theni District.
(Crime No.98 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Muniyandi
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.98 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
<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.13234 of 2025

on 13.07.2025 for the offences punishable under Sections 8(c), r/w 20(b)(ii)(B) and 25, 29(1) of NDPS Act, in Crime No.98 of 2025 on the file of the respondent police, seeks bail,

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2. The case of the prosecution is that on 12.07.2025, on receipt of secret information, the respondent police went to Kambam – Uthukadu road and had intercepted a two wheeler bearing Registration No.TN-60-S-9355 and found that the accused No.1 and 2 were in illegal possession of 12 kgs of Ganja and the same was arrested. Based on the confession of arrested accused, the petitioner was implicated in this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner. He would further submit that co-accused/ A2, A3 have already been granted bail by this Court in CrI.OP(MD).No.13479 of 2025 dated 12.08.2025. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 13.07.2025. Hence, he seeks bail.



CRL OP(MD). No.13234 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally 5 accused, the petitioner is arrayed as A4 and that the third accused had purchased 12 kgs of Ganja at Andhra Pradesh from the fifth accused and the third accused handed over 10 kgs of Ganja to this petitioner, who given the same to the first accused and thereafter, the first accused and the second accused had taken the same to Kerala for the purpose of selling and at that time, the respondent police arrested the said persons. He would further submit that the properties were recovered by the respondent police and the investigation is almost completed and that the petitioner is not having any previous cases. However, he objected to grant bail to the petitioner

5. Taking into consideration of the facts and circumstances of the case and also the fact that the properties were recovered and there is no previous case pending against the petitioner. Furthermore, the seized contraband is not commercial quantity and co-accused had already been granted bail by this Court and also consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



CRL OP(MD). No.13234 of 2025

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the Principal Special Court for NDPS Act, Cases, Madurai, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and mobile number to the Principal Special Court for NDPS Act, Cases, Madurai.

(c) If the petitioner changes his residential address, he shall report the same to the Principal Special Court for NDPS Act, Cases, Madurai.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned



CRL OP(MD). No.13234 of 2025

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 5560].

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

sd/-
26/08/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSRM

TO

- 1 The Principal Special Court
For Ndps Act, Cases,
Madurai.
- 2 The Superintendent,
Central Prison,
Madurai.
- 3 The Inspector of Police,
Pew Uthamapalayam Police Station,
Theni District.



CRL OP(MD). No.13234 of 2025

4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-9255[I] dated 28/08/2025)

ORDER
IN

CRL OP(MD) No.13234 of 2025
Date :26/08/2025

NM/28.08.2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023