



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10553 of 2026

Mari @ Mariappan

..Petitioner(s)

Vs

The State Rep. by its
The Inspector of Police
H-6 R.K.Nagar Police Station,
Chennai.
Crime No. 335/2025.

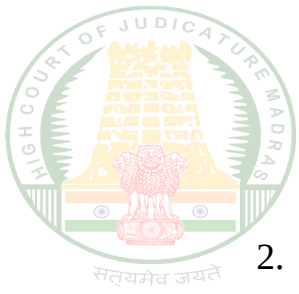
..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in C.C.No.600 of 2025 (on the file of the learned I Additional Special Judge EC and NDPS Act, Chennai) in Crime No.335 of 2025 (on the file of the respondent) and thus render justice.

For Petitioner(s):	Mr.D.Padmanabhan
For Respondent(s):	Mr.S.Yogaraja Sekar Government Advocate (Criminal side)

ORDER

The petitioner, who was voluntarily surrendered before I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai on 11.02.2026 for the alleged offences under Sections 8 (c), 20 (B) (ii) (C), 25, 29 (1) of NDPS Act, 1985, in Crime No.335 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that when on secret information, the respondent Police intercepted Mari (A6), he informed that he purchased Ganja from Seniammal (A1) and that the Seniammal,, Nataraj (A2), Mala (A3), Johnson (A4), Mari @ Mariappan (A5) have purchased huge quantity of Ganja from Andhra Pradesh and distributing to the small traders. Hence the case.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 11.02.2026. He further submitted that, except for the present petitioner and Seniammal (A1), all other accused were enlarged on bail vide orders dated 11.11.2025 in Crl.O.P.No.23956 of 2025, dated 21.11.2025 in Crl.O.P.No.30881 of 2025, dated 06.04.2026 in Crl.O.P.Nos.1971, 5236 & 1973 of 2026 and dated 16.02.2026 in Crl.O.P.No.35935 of 2025.

3.1.The learned counsel for the petitioner submitted that the earlier bail application of the petitioner was dismissed on the ground of bad antecedents. However, relying upon the counter statement filed by the learned Government Advocate, he pointed out that the petitioner was acquitted in almost all of those cases. Specifically, seventeen out of nineteen previous cases, which were registered between 2001 and 2013, ended in acquittal, and there are about only two cases pending for the year 2024. He further submitted that the petitioner



voluntarily surrendered and no recovery was effected from him. Hence, he prays to grant bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are about six accused, the petitioner is arrayed as A5. There was recovery of 21 kg of Ganja from the first accused and 1.640kg of Ganja from sixth accused. There was no recovery of from the petitioner. However, he opposed for grant of bail to the petitioner.

5.The factum of no recovery from the petitioner was admitted by the learned Government Advocate. In this connection, it is relevant to mention that in Crl.O.P.Nos.1971, 1973 & 5236 of 2026 vide order dated 06.04.2026, this Court granted bail to co-accused, Nataraj, on the finding that no recovery was made from him; and that the recovery was made only from the first accused namely Seniammal from her residence. In that order, bail was rejected to the present petitioner only upon the ground that he has got previous cases.

6.However, as per the counter filed by the learned Government Advocate, the petitioner has been acquitted in almost all of those previous cases and no recovery was effected from him in the present case. Hence, this Court extends the benefit of parity to the petitioner, similar to that granted to the co-accused Nataraj in Crl.O.P.Nos.1971, 1973 & 5236 of 2026. Consequently, this Court is inclined to grant bail to the petitioner with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail on his 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 learned **I Additional Special Judge EC and NDPS Act, Chennai**, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the I Additional Special Judge, EC and NDPS Act, Chennai, daily at 10.30 AM for a period of three weeks; thereafter, on the hearing dates;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;



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[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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C.KUMARAPPAN, J.

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To

1.I Additional Special Judge, EC & NDPS Act,
Chennai.

2.The Superintendent of Prison,
Central Prison, Puzhal II, Chennai.

3.The Inspector of Police
H-6 R.K.Nagar Police Station,
Chennai.

4.The Public Prosecutor
High Court of Madras.

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