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CRL OP No. 12161 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12161 of 2026

Ramesh

..Petitioner(s)

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Ranipet Police station,
Ranipet District (Cr. No.441/2012)

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in connection with the C.C.No.7/2013 on the file of the learned Additional District Judge and Special Court under EC and NDPS Act, Salem.

For Petitioner(s):

Mr.U. Venkatesh

For Respondent(s):

Mr.R.Vinothraja

Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.08.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) and 25 of NDPS Act, in Cr. No.441 of 2012 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information with regard to the illegal transportation of Ganja from Andhra Pradesh, the



respondent police conducted a vehicle check and intercepted a car bearing Reg. No.AP 5 K 2992 proceeding towards Ranipet, which was driven by the fourth accused and found 320 Kgs of Ganja and based on the confession of A4, the other accused including the petitioner/A2 was arrested. Thereafter, the respondent police had registered a case in Crime No.441/2012 on 13.08.2012 and laid a charge sheet against the petitioner and three other accused on 19.02.2013.

3.That, upon filing of final report, the learned Special Court took cognizance of the offence in CC No.07/2013. Thereafter, the petitioner was regularly appearing before the trial Court during trial. However, thereafter, the petitioner did not appear for few hearing due to the outbreak of COVID – 19. Thereafter, on 17.06.2022, the petitioner moved a 317 petitioner before the trial Court, duly setting out the reasons for his absence. However, the trial Court issued a NBW against the petitioner and the respondent police has executed the NBW by arresting the petitioner on 04.08.2025. Hence the Petition.

4. The learned counsel for the petitioner would contend that petitioner is incarceration since 04.08.2025. He further submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore he prayed to grant bail to the petitioner.



5. The learned Government Advocate (Criminal Side) would submit that since the petitioner did not appear before the trial Court on several occasions during the course of trial, the trial Court had issued a NBW against the petitioner and the same came to be executed on 04.08.2025. Hence, he strongly opposed to grant bail to the petitioner.

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

7. Considering the nature of allegations, already petitioner was granted bail and due to his non-appearance, NBW was executed and the petitioner was arrested on 04.08.2025 and already investigation has been completed, charge sheet has been filed and the case is posted for trial, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Additional District Judge and Special Court under E.C. & NDPS Act, **Salem** and on further conditions that:

[b] the petitioner shall report before the trial Court daily at 10.30 a.m. until further orders;

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



the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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[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 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

TSG



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.

To

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
Ranipet Police station,
Ranipet District
2. The Additional District Judge and
Special Court under E.C. & NDPS Act, Salem
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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