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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.04.2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.190 of 2026

Ponnasiyan @ Sundhar

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Cumbum North Police Station,
Theni District.
(In Crime No.363 of 2025)

... Respondent/ Complainant

PRAYER :-

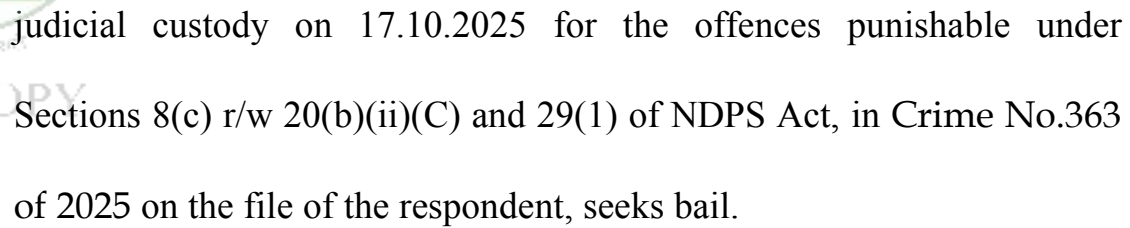
To enlarge the petitioner on bail in Crime No.363 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Rajeskumar,
Advocate

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



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 submit that the contraband recovered from the petitioner is only 13.96 kg and it is not a commercial quantity and the petitioner has been arrested and remanded to judicial custody on 17.10.2025. Therefore, prayed to grant bail for the petitioner.

2/6



were found in illegal possession of 22.070 kg of ganja and the offence is grave in nature and the petitioner has 3 previous cases and the investigation is still pending. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and though the prosecution stated that the quantity involved in this case is a commercial quantity, the contraband recovered through separate mahazar from separate individuals and thereafter, the prosecution clubbed all the contraband and as far as the petitioner is concerned, the contraband recovered from him is only 13.96 kg through separate mahazar and thereby, the same is not a commercial quantity and though the petitioner has 3 previous cases, those cases are not a similar kind of offences and in those cases, he was released on bail and anticipatory bail and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant



bail to the petitioner subject to the following conditions:

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[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 **Judicial Magistrate, Uthamapalayam**, and on further conditions that:

[b] the petitioner shall report before the **trial Court daily at 10.30 a.m., and 05.00 p.m, 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 5560].



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

(P D B J)
30.04.2026

dss

To

- 1.The Judicial Magistrate, Uthamapalayam.
- 2.The Inspector of Police,
Cumbum North Police Station,Theni District.
3. The Superintendent, Sub Prison, Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

ORDER
IN
CRL OP(MD) No.190 of 2026

Date : 30.04.2026