

CRL OP(MD). No.861 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL OP(MD)No.861 of 2026

Kumar

... Petitioner / Accused No.4

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Needamangalam Police Station,
Thanjavur District.
(Crime No.103 of 2025)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Crime No.103 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Subburaj,
Advocate

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



CRL OP(MD). No.861 of 2026

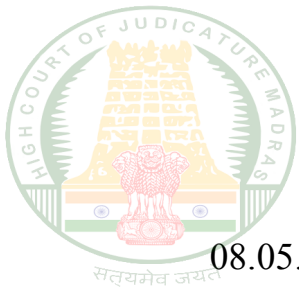
ORDER : The Court made the following order :-

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The petitioner/accused, who was arrested and remanded to judicial custody on 08.05.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.103 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 08.05.2025 at about 16:30 hours, the respondent police, based upon secret information, proceeded along with a police party and necessary equipment, and found the accused persons in possession of 110 kgs of ganja. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He would further submit that no contraband was recovered from the petitioner and that he has been implicated only on the basis of the confession of the co-accused. He would also submit that the petitioner was arrested and remanded to judicial custody on



CRL OP(MD). No.861 of 2026

08.05.2025. Hence, he seeks grant of bail for the petitioner.

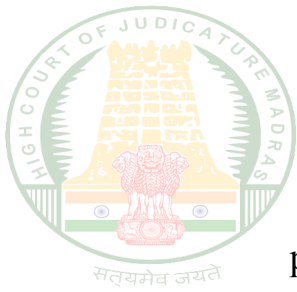
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4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner along with other accused were found in illegal possession of 110 kgs of ganja which is a commercial quantity. He would further submit that there are two previous cases pending against the petitioner, out of which, one case is similar in nature. Therefore, he opposed the grant of bail to the petitioner.

5. This Court heard the learned counsel appearing on either side and perused the materials placed on record.

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, and also considering that there was no recovery from the petitioner and though the petitioner has one previous case, the same has already ended in acquittal, and also considering the period of incarceration of the petitioner from 08.05.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petition is allowed and the



CRL OP(MD). No.861 of 2026

WEB COPY

petitioner is ordered to be released on bail on executing 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 (Special Court for EC and NDPS Court), Thanjavur, and on further conditions that :-

[b] the petitioner shall report before the Additional District Judge (Special Court for EC and NDPS Court), Thanjavur, daily at 10.30 a.m. and 05.00 p.m., on all working days, 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;

[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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



CRL OP(MD). No.861 of 2026

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[f] On breach of any of the aforesaid conditions, the learned 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]***; and

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

17.04.2026

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To

- 1.The Additional District Judge (Special Court for EC and NDPS Court),
Thanjavur.
- 2.The Superintendent,
Central Prison,
Trichy.
- 3.The Inspector of Police,
Needamangalam Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



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CRL OP(MD). No.861 of 2026

P.DHANABAL,J.

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ORDER
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