



CRL OP(MD). No. 1145 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Ezhumalai @ Thangapandiyan
2.Sathish @ Sattipanai

...Petitioners/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore.

(Crime No. 442 of 2025)

...Respondent/Complainant

For Petitioners : Mr.K.Althaf Sheriff
for M/s Ajmal Associates
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 442 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners / Accused, who were arrested and remanded to judicial custody on 05.10.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act in Crime No. 442 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that based on the secret information, on 05.10.2025, when the respondent police were in patrol duty, they found that the A1 was in illegal joint possession of 22 kgs of ganja along with other accused including the petitioners. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that entire contraband was recovered from A1 alone and based on the confession of co-accused only, the petitioners have been arrayed as accused. He would further submit that they have been arrested and remanded to judicial custody on 05.10.2025. Therefore, prayed to grant bail for the petitioners.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that based on the complaint lodged by the defacto complainant, the case has been registered under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act. He would further submit that the first petitioner has 20 previous cases out of which two cases under NDPS Act and the second petitioner has four previous cases, which are not similar in nature. He would further submit that the investigation is pending and the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioners.

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 considering the facts that entire contraband was recovered from A1 alone and based on the confession of co-accused only, the petitioners have been arrayed as accused and though the first petitioner has 20 previous cases out of which two cases under NDPS Act, which are not commercial quantity, in all cases bail



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was granted to the first petitioner and though the second petitioner has four previous cases, the same are not similar in nature and in all cases, bail was granted to the second petitioner also and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Additional District Judge/Presiding Officer, Special Court under EC Act, Thanjavur, and on further conditions that:

[b] the petitioners shall report before the learned Additional District Judge/Presiding Officer, Special Court under EC Act, Thanjavur, daily at 10.30 a.m., until further orders;

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;



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[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 BNS.

(P D B J)
16.04.2026

apd



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To

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1. The Additional District Judge/Presiding Officer,
Special Court under EC Act,
Thanjavur.
2. The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore.
3. The Superintendent, Central Prison, Trichy.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
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