



CRL OP(MD). No.1672 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 29/01/2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Somasundharam

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
Crime No.34/2026.

... Respondent/Complainant

For Petitioner : K. M.Karunakaran,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PRAYER :-

C-32B.For Bail in Crime No.34/2026 on the file
of the respondent police.

ORDER : The Court made the following order :-



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WEB COPY The petitioner, who was arrested and remanded to judicial custody on 17.01.2026 for the offences punishable under Sections 8(c), r/w 20(b)(ii)(B) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.34 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 2 kgs of Ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner. He would further submit that the petitioner is in custody from 17.01.2026. Hence, he seeks bail.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that there are 3 previous cases pending against the petitioner. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the properties were recovered and though there is 3 previous case pending against the petitioner, the seized contraband is not commercial quantity and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a separate 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 Additional Sessions Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, and on further conditions that :-

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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the Additional Sessions Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, daily at 10.30 a.m., and shall report before the respondent Police daily at 05.30 p.m, until further orders; further no relaxation will be entertained for next two months.

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

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

[e] On breach of any of the aforesaid conditions, the learned 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



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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];

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

29.01.2026

PJL

TO

1.The Additional Sessions Judge/Presiding Officer,
Special Court under Essential Commodities Act,
Thanjavur.

2.The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.

3.The Superintendent,
District Jail, Pudukkottai.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

PJL

ORDER
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