



CRL OP(MD). No. 1863 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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P.Kasimayan

...Petitioner/Accused-4

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Chekkanurani Police Station,
Madurai.
(Crime No. 398 of 2023)

...Respondent/Complainant

For Petitioner : Mr.N.Mani Maran
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 398 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 28.10.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act in Crime No. 398 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 28.10.2023, at about 6.00 hrs, when the respondent police were in patrol duty, they found that the petitioner and other accused were in illegal joint possession of 44 kgs of ganja. Hence the case.

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 he has been arrested and remanded to judicial custody on 28.10.2023. He would further submit that arrest memo was not duly served. Therefore, prayed to grant bail for the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner and other accused were in illegal joint possession of 44 kgs of ganja, due to which the case has been registered under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act in Crime No. 398 of 2023. He would further submit that the petitioner has 33 previous cases. He would further submit that after investigation, charge sheet was filed and the same is pending in C.C.No. 138 of 2024 on the file of the Principal Special Court for EC & NDPS Act cases, Madurai and the offences are grave in nature and 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 considering the facts that quantity involved is a commercial quantity and the petitioner was travelling in the vehicle in which the contraband was transported and also the petitioner has 33 previous cases and taking into considering the gravity of offence,



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this Court is not inclined to grant bail to the petitioner at this stage. As far as the grounds raised by the learned counsel for the petitioner in respect of arrest memo and other facts, it needs elaborate trial. Therefore, those factors cannot be considered at this stage.

7. Accordingly, this Criminal Original Petition is **dismissed**. However, considering the long pendency of the case, the Trial Court is directed to complete the trial as early as possible without granting any long adjournments beyond one week and if the Presiding Officer is not available, officer-in-charge has to conduct the trial by following the abovesaid directions.

(P D B J)
16.04.2026

apd
To

1. The Additional District Judge (FAC),
The Principal Special Court for EC & NDPS Act cases, Madurai.
2. The Inspector of Police,
Chekkanurani Police Station,
Madurai.
2. 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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