



Crl.O.P.(MD)No.2729 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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Shanmugavel

... Petitioner

Vs.

State Tamilnadu Rep. by
The Inspector of Police,
Keeraithurai Police Station,
Madurai City-District.
Crime No.105 of 2024

... Respondent

PRAYER : Petition filed under Section 528 of BNSS, 2023 to direct the trial Court to set aside the NBW and accept the petitioner to appear in Video Court as directed by the docket order dated 27.11.2025 in C.C.No.130 of 2025, passed by the Learned I Additional District Judge for EC and NDPS Act Cases, Madurai.

For Petitioner : Mr.S.Kasirajan

For Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl.)

ORDER

The very mode in which the relief has been carved by the learned counsel appearing for the petitioner itself would make it suitable for dismissal of the petition in limine.



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2. The petitioner has filed this petition seeking to direct the trial Court to set aside the NBW and accept the petitioner's request to appear through video conference in CC No.130 of 2025 on the file of the I Additional District Judge for EC and NDPS Act Cases, Madurai.

3. This Court, by order dated 19.10.2024, in Crl OP(MD)No.16223 of 2024 has passed an order of bail in favour of the petitioner on stringent conditions, more particularly, that the petitioner should appear before the Trial Court each and every hearing without fail. Under such circumstances, since the petitioner failed to appear before the trial Court on 27.11.2025, a non-bailable warrant was issued as against the petitioner by the trial Court.

4. However, the learned counsel for the petitioner categorically submitted that on 07.10.2025, another criminal case relating to narcotic drugs was registered against the petitioner. He further submitted that the petitioner was in the process of taking steps to secure anticipatory bail in the said case. In the meantime, on 27.11.2025, the petitioner was unable to appear before the Court on account of the registration of Crime No.229 of 2025 against him. Without considering the said aspect, the trial Court had issued NBW as against



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the petitioner and hence, he sought for the indulgence of this Court in permitting him to appear through video conference before the trial Court for the purpose of recalling NBW.

5. Per contra, the learned Additional Public Prosecutor appearing for the respondent police categorically contended that there are totally four accused including the petitioner in CC No.130 of 2025 on the file of the learned I Additional District Judge for EC and NDPS Act Cases, Madurai, in which the trial has been concluded and the judgment has also been pronounced as against three accused by convicting them to undergo 12 years imprisonment on 25.04.2025.

6. The learned Additional Public Prosecutor appearing for the respondent police further submitted that the said case is still pending, only because of the petitioner herein had absconded and had prevented the trial Court from effectively disposing of the said case. The petitioner is a notorious offender, against whom several criminal cases are pending, particularly in view of his bad antecedents of assisting a known narcotic offender, namely, Vellakali, who is already in custody.



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7. Heard the learned counsel on either side and carefully perused the materials available on record.

8. The petitioner has multiple criminal cases pending against him, including serious offences under the NDPS Act. His conduct shows a pattern of involvement with narcotics and assisting offenders, as seen in the case of Vellakali. Such antecedents justify the issuance and continuation of the NBW. NDPS Act cases attract stringent punishment, and any leniency at the stage of NBW could undermine the law enforcement process. Being aware of the legal process and pending cases, he should have taken proactive measures.

9. In view of the aforesaid observations, I don't find any infirmity in the manner, in which NBW has been issued by the I Additional District Judge for EC and NDPS Act Cases, Madurai. Accordingly, this criminal original petition stands dismissed. The petitioner is directed to surrender before the trial Court forthwith.

11.02.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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1. The I Additional District Judge for EC and NDPS Act Cases, Madurai.
2. The Inspector of Police,
Keeraithurai Police Station,
Madurai City-District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
Crl.O.P.(MD)No.2729 of 2026

Dated
11.02.2026