



CRL OP(MD). No.4984 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.4984 of 2026

Gunasekaran

... Petitioner/ Accused No.1

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Usilampatti Taluk, Taluk Police Station,
Usilampatti Circle, Madurai District.
Cr.No.298/2018.

... Respondent/ Complainant

PRAYER :-

to enlarge the petitioner on bail in Crime No.298/2018 in C.C.No.298 of 2019 on the file of the Principal Special Court for EC AND NDPS Act cases, Madurai and pass further or other orders as this Hon`ble Court may deem fit and proper..

For Petitioner : Thanga Prithvi Rajan P,
Advocate.

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

ORDER

The petitioner / A1, who was arrested and remanded to judicial



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custody on 23.06.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) of NDPS Act, in Crime No.298 of 2018 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.12.2018 at about 05.30 pm, on secret information, the respondent police went to the A.Ramanathapuram near Kalyanakaruppukovil. On searching, the accused were found in illegal possession of 30 kg 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 no recovery was made from the petitioner and he has been arrested and remanded to judicial custody on 23.06.2023. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner on the ground



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that the quantity involved in this case is a commercial quantity and the offence is grave in nature and the petitioner is having 7 previous cases similar in nature. Further, the trial was commenced and the case was posted to 17.04.2026 for examination of the witnesses.

5. By way of reply, the learned counsel for the petitioner would submit that among 7 previous cases, 6 cases were ended in acquittal and in 1 case, the petitioner was convicted.

6. This Court heard both sides and perused the materials available on record.

7. Considering the rival submissions made by the learned counsel on either side, nature of offence, and the quantity involved in this case is a commercial quantity and even as per the FIR, the contraband was recovered from the petitioner and the petitioner is also having previous cases for the similar kind of offences and the petitioner has failed to satisfy the conditions contemplated under Section 37 of the NDPS Act and already trial was commenced and the case was posted to 17.04.2026



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for examination of the witnesses, this Court is not inclined to grant bail
to the petitioners.

8. Accordingly, this Criminal Original Petition stands dismissed.

16.04.2026

dss

To

- 1.The Inspector of Police,
Usilampatti Taluk, Taluk Police Station,
Usilampatti Circle, Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

dss

ORDER
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