



CRL OP(MD). No.3805 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 23/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD) . No.3805 of 2026

Divakar

... Petitioner/Accused

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.
(Crime No. 9 of 2026).

... Respondent/Complainant

For Petitioner : M/s. Rameshkumar.D.,
Advocate.

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

PRAYER :-

C-32AB. For Anticipatory Bail in Crime No. 9 of 2026 on the file of the respondent police...

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences



CRL OP(MD). No.3805 of 2026

punishable under Section 8 © r/w 20(b)(ii)(B) of NDPS Act, in Crime No.9 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused were found in illegal possession of 1.450 kgs of Ganja. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned additional Public Prosecutor submitted that there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.



CRL OP(MD). No.3805 of 2026

WEB COPY 5. Considering the facts and circumstances of the case, and the seized contraband is not commercial quantity, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a 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 learned Judicial Magistrate No.II, Pudukkottai, within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;



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CRL OP(MD). No.3805 of 2026

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;

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

[d]the petitioner shall not abscond 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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];



CRL OP(MD). No.3805 of 2026

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

23.02.2026

PJL

TO

1. Judicial Magistrate No.II, Pudukkottai.
- 2.The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.3805 of 2026

S.SRIMATHY, J

PJL

ORDER
IN
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