



CRL OP(MD). No. 3779 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Siva
2.Sivakumar

...Petitioners/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Cumbum North Police Station,
Theni.
(Crime No. 57 of 2026)

...Respondent/Complainant

For Petitioners : Mr.J.Vishnu
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 57 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners / Accused-2 & 3, who were arrested and remanded to judicial custody on 27.01.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 29(1) of NDPS Act, 1985 in Crime No. 57 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were in illegal possession of 2.150 kgs of ganja. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that the co-accused /A1& A4 were already released on bail by the Sessions Court. He would further submit that they have been arrested and remanded to judicial custody on 27.01.2026. Therefore, prayed to grant bail for the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners have no previous cases. He



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would further submit that the investigation is pending and the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioners.

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 the quantity of the contraband involved is not a commercial quantity and co-accused were released on bail by the Sessions Court and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to 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 Special Court for



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EC Act and NDPS Act Cases, Madurai and on further conditions that:

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

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 released on bail by the learned Magistrate/Trial Court himself



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as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

(P D B J)
25.03.2026

apd

To

- 1.The Special Court for EC Act and NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
Cumbum North Police Station,
Theni.
3. The Superintendent, Sub Jail, Thekkampatti, Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
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