



Crl.O.P.(MD)No.4080 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 4080 of 2026

Marimuthu

... Petitioner

Vs

The Union of India,
rep. by the Intelligence Officer,
Directorate of Revenue Intelligence,
Tuticorin Regional Unit,
No.22/14, Celin Garden, Roche Colony,
Tuticorin – 628 001.
F.No.DRI/CZU/TTN/VIII/48/02/INT-01/2025

...Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian
Advocate.

For Respondent : Mr.K.Govindarajan, DSGI

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in C.C.No.273 of 2025 on the file of the learned II Additional Special Court of NDPS Act Cases, Madurai.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 24.01.2025 for the offences punishable under Sections 20(b)(ii)(C), 21(c),



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23(C), 25, 27A, 28 and 29 of NDPS Act, in F.No.DRI/CZU/TTN/VIII/48/02/
INT-01/2025 on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 22.01.2025, based on the secret information received by the DRI, they conducted an inspection at Tuticorin Old Port, further they found two persons in a two wheeler namely Jesuraj and Antony Jesu Sudhakar with Hahis Oil 15 Kgs. and 12 Kgs. respectively, with an intention to transport to Maldives with the help of CISF personal namely Marimuthu. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not involved in any offence as alleged in the FIR. Originally the entire contraband were recovered from the main accused namely A1 and A2. Only based on the confession statement of the co-accused, the petitioner was falsely implicated in this case. Except the confession statement, there is no other material to implicate him. Investigation has been completed and charge sheet was also filed before the concerned Court. The petitioner was arrested after two days of the occurrence. The petitioner is in custody for more than one year. Therefore, prayed to grant bail for the petitioner.



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4. The learned counsel appearing for the respondent would submit that the offences are grave in nature. Though the contraband was recovered from A1 and A2, other accused helped them to transport the same to Maldives illegally. When the vehicle is entered into the premises, they allowed them without proper checking. On the basis of the co-accused the petitioner was implicated in this case. All the phone call details were also secured in this case and ready to produce. Investigation in this case has been completed and the same is pending from trial in C.C.No.273 of 2025 on the file of the learned II Additional Special Court of NDPS Act Cases, Madurai. The trial is also commenced. If the petitioner is released on bail, he will not appear for the hearing regularly and the trial can be stalled. Hence, he vehemently opposed the grant of 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, considering the nature of offence, and no contraband was recovered from this petitioner directly, on the basis of the confession made by the co-



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accused, the petitioner was implicated in this case, as per the prosecution case, the entire contraband was recovered from A1 and A2, who are the main accused, the petitioner is concerned he allowed the vehicle into the premises with contraband without through checking the vehicle, though the phone call details have been secured, it can be tested during the trial, that the petitioner has no previous cases and also considering the period of incarceration of the petitioner from 24.01.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is 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 learned II Additional Special Court of NDPS Act Cases, Madurai and on further conditions that:

[b] the petitioner shall report before the learned II Additional Special Court of NDPS Act Cases, Madurai, **at 10.30 a.m., and 05.00 p.m. on all working days, until further orders;** Since the learned counsel appearing for the State submitted that if the petitioner is released on bail, he will not attend the trial, **the petitioner is strictly directed to appear before the trial Court on all hearings without fail;**



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[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

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

(P D B J)
06.04.2026

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To

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1.The Sessions Judge, II Additional Special Court of NDPS Act Cases,
Madurai.

2.The Intelligence Officer,
Directorate of Revenue Intelligence,
Tuticorin Regional Unit,
No.22/14, Celin Garden, Roche Colony,
Tuticorin – 628 001.
F.No.DRI/CZU/TTN/VIII/48/02/INT-01/2025

3.The Superintendent, Central Prison, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

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ORDER
IN
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