

CRL OP(MD). No.4328 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 16.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.4328 of 2025

Rajesh

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Devadanapatti Police Station,
Theni District
(Crime No. 417 of 2024)

...Respondent/Complainant

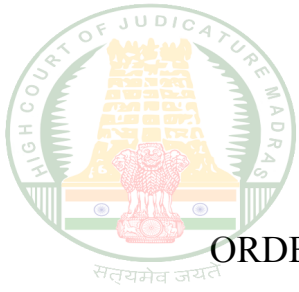
For Petitioner : Mr.M.Jegadeesh Pandian

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.417 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / A4, who was arrested and remanded to judicial custody on 09.12.2024 for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C) ,25 and 29(1) of NDPS Act in Crime No.417 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 26.562 kgs of ganja. Hence the case.

3. The learned counsel for the petitioner would submit that the respondent police has registered a false case against the petitioner and he has not committed any offence as alleged by the prosecution. He would further submit that this petitioner has been implicated as an accused based on the confession given by the co-accused and no contraband was recovered from this petitioner. The petitioner has been arrested and remanded to judicial custody on 09.12.2024.. Hence, he prays to grant bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that petitioner along with other accused were found in illegal possession of 26.562 kgs of ganja which is a commercial quantity. There are materials available as against the petitioner. Hence, he opposed to grant 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 and though the prosecution has stated that the contraband involved in this case is a commercial quantity no contraband was recovered from this petitioner and the contraband was recovered from other accused and also the considering the fact this petitioner has been implicated as an accused based on the confession given by the co-accused and the fact that the petitioner is neither driver of the vehicle in which the contraband was transported nor had possession of contraband and also taking into consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following

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conditions:

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[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 Special Court for EC and NDPS Act cases, Madurai and on further conditions that:

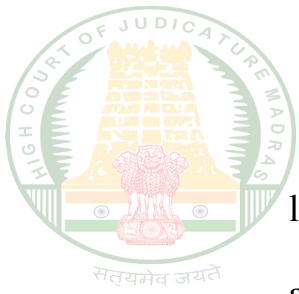
[b] the petitioner shall report before the trial Court on all working days at 10.30 a.m., and 5.30 pm., until further orders.

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



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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)
16.04.2026

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To

- 1.The Special Court for EC and NDPS Act cases, Madurai
- 2.The Inspector of Police,
Devadanapatti Police Station,
Theni District
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
CRL OP(MD) No. 4328 of 2025

Date : 16.04.2026