



CRL OP(MD). No.6425 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 01/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.6425 of 2026

Sivankalai @ Siva

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu Rep By,
The Inspector of Police,
Town East Police Station,
Thanjavur District.
Cr.No.944 of 2024.

... Respondent/ Complainant

PRAYER :-

For Anticipatory Bail in Cr.No.944 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.Narayana Prasadh
Advocate.

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

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the



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respondent for the offences punishable under Sections 8(c) r/w 20(b((ii) (C), 25 and 29(2)(a) of NDPS Act, 1985, in Crime No.944 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.11.2024, the respondent police received a secret information and went to the place of occurrence and intercepted a vehicle bearing Reg.No.TN-07-AQ-2072 and found the illegal possession of 136 kg 600 grams of ganja and seized the same from A2 to A4 and arrested them. Based on their confession, a case has been registered against the accused including the petitioner for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioners would submit that the petitioner is an innocent and has been falsely implicated in this case and he has no way connected in the above said incident. He would further submit that the petitioner was not present in the scene of occurrence and no recovery was made from the petitioner and only based on the confession of the co-accused, petitioner has been implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that there are totally 5 accused in this case. The petitioner is arrayed as



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A1. After completion of investigation, final report was filed before the learned Additional District Judge, Special Court under EC Act Cases, Thanjavur, and the same was taken on file in C.C.No.158 of 2025. Since the non-appearance of the petitioner and other accused, absconding charge sheet has been filed against the petitioner/A1 to A5 and subsequently, Non-bailable warrant has also been issued against the petitioner on 12.09.2025. Apart from that, the quantity involved in this case is a commercial quantity and the petitioner has 3 previous cases for the commercial quantity. Hence, the prayed for dismissal of this petition.

5. By way of reply, the learned counsel for the petitioner would submit that the absconding charge sheet has been filed against the petitioner while the other accused were arrested and released on statutory bail. After the case was taken on file, it was posted for first hearing on 12.09.2025 and on the very same date Non-bailable warrant was issued against the petitioner without serving summon and hence, he has no knowledge about the same.

5. Heard both sides and perused the materials available on record.



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6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and since the Non-bailable warrant is pending as against the petitioner before the Additional District Judge, Special Court under EC Act Cases, Thanjavur, it is appropriate to direct the petitioner to approach the Additional District Judge, Special Court under EC Act Cases, Thanjavur, for cancellation of Non-bailable warrant and if any application filed by the petitioner, and the same can be considered by the Additional District Judge, Special Court under EC Act Cases, Thanjavur, in accordance with law and on merits on the same day.

7. With the above observations, this Criminal Original Petition stands dismissed.

01.04.2026

dss



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To

- 1.The Additional District Judge,
Special Court under EC Act Cases, Thanjavur.
- 2.The Inspector of Police,
Town East Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

dss

ORDER
IN
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Date : 01/04/2026