



CRL OP(MD). No. 7188 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Dinesh ..Petitioner/Accused No.5
Vs

1.State of Tamil Nadu rep. by
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
(Crime No.162 of 2023 .. Respondent

For petitioner :M/S.K.Kavitha
Advocate.

For Respondent :Mr.M.Karunanithi
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482
of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.162 of
2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A5, who apprehends arrest at
the hands of the respondent for the offences

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punishable under Sections 8(C) r/w 20(b)(ii)(B), 25 and 29(i) of NDPS Act, 1985, in Crime No.162 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 02.04.2023, at about 11.00 hours, based on the secret information, the respondent Police conducted vehicle check up and found that the other accused persons were in illegal possession of 1 Kg and 300 grams of Ganja in a two wheeler bearing Registration No.TN 72 BT 3340. Hence, the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the offences punishable under Sections 8(C) r/w 20(b)(ii)(B), 25 and 29(i) of NDPS Act, 1985. The petitioner is an innocent and he is nothing



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to do with the alleged offences. He would further contend that the no contraband was recovered from the petitioner and based on the confession of co-accused, he has been arrayed as A5. He would further submit that the alleged occurrence took place on 02.03.2023, at that time, he was in custody in another case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the accused was found in illegal possession of 1 kg and 300 gms of Ganja. He would further submit that the petitioner has 6 previous cases. He would further submit that the investigation is still pending and the offences are grave in nature. However, he opposes to grant anticipatory bail to the petitioner.



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

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner and the quantity of the materials involved in this case is not a commercial quantity and no contraband was recovered from the petitioner and based on the confession of Co-accused, he has been arrayed as A5 and the alleged occurrence took place on 02.03.2023, at that time, he was in custody in another case and though the petitioner has six previous cases, in all cases the petitioner was granted bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner are ordered to be released on anticipatory bail on condition to execute a bond for a



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sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Principal EC & NDPS Court, Madurai, and on further conditions that:

[b] the petitioner shall report before the Principal EC & NDPS Court, Madurai, on all working days at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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/petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)

10.04.2026

vsg



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To

- 1.The Principal EC & NDPS Court, Madurai.
- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

vsg

ORDER
IN
CRL OP (MD) No. 7188 of 2026

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