



CRL OP(MD). No.9172 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Nalla Malai

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District
(Crime No. 35 of 2023)

...Respondent/Complainant

For Petitioner : Mr.A.Vignesh
For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.35 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / A2, who was arrested and remanded to judicial custody on 24.01.2023 for the offences punishable under Sections 8(c) r/w. 20(b) (ii) (C), 29(1) and 25 of NDPS Act in Crime No.35 of 2023 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 61kgs 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 the petitioner has been arrested and remanded to judicial custody on 24.01.2023. He would further submit that in this case investigation has been completed and final report has been filed before the concerned Court. He would also submit that co-accused was also released on bail. 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 61kgs of ganja which is a commercial quantity. There are materials available as against the petitioner. He would further submit that some previous cases are pending 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 also the considering the fact that no contraband was recovered from this petitioner and the entire contraband was recovered from A1 and also the fact that charge sheet has been filed and co-accused was granted bail by this Court and the fact that though the petitioner has some previous cases those cases are not similar kind of offences 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 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 Principal EC and NDPS Court, Madurai and on further conditions that:

[b] the petitioner shall report before the trial Court on daily 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 learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law



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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)
08.04.2026

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To

- 1.The Principal EC and NDPS Court, Madurai
- 2.The Inspector of Police,
Kadamalaikundu 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
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