



CRL OP(MD). No.8145 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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1.Raju @ Rajkumar

2.Vaithishwaran

... Petitioners/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police, Naduveerapattu,
Naduveerapattu Police Station,
Cuddalore District.
(Crime No. 261 of 2025).

... Respondent/Complainant

For Petitioners : Mr.K.M.Karunakaran

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

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For Bail in Crime No. 261 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial custody on 06.10.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, 1985 in Crime No. 261 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that based on the secret information, on 05.10.2025, at about 11.50 p.m., when the respondents police were in patrol duty, they found that the petitioner and other accused were in illegal joint possession of 20 kgs of ganja. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners were in separate



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possession of 2.077 and 1.030 kgs of ganja respectively, which is not a commercial quantity. He would further submit that they have been arrested and remanded to judicial custody on 06.10.2025. In this case, co-accused have already been enlarged on bail. Therefore, prayed to grant bail for the petitioners.

4. The learned Government Advocate appearing for the respondent would submit that the petitioners and other accused were found in illegal possession of 20 kgs of ganja, which is a commercial quantity. He would submit that the petitioners have previous cases. He would further submit that the investigation is pending and the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioners.

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, nature of offence, and though as per prosecution,

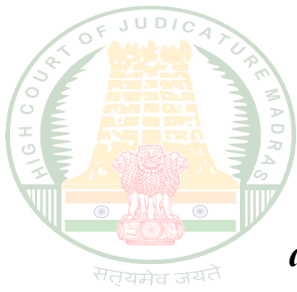


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the quantity of contraband involved in this case is a commercial quantity, the contraband recovered through separate mahazars have been clubbed together and as far as this petitioners are concerned, the contraband recovered from them is 2.077kgs and 1.030 kgs respectively and the same is not a commercial quantity and considering the fact that the petitioners have got bail in the previous cases registered against them and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

*[a] Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned **Additional District Judge, Special Court for EC and NDPS Cases, Thanjavur**, and on further conditions that:*

*[b] the petitioners shall report before the **Special Court for EC and NDPS Cases, Thanjavur**, on all working*



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days at 10.30 a.m., until further orders;

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

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

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



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[g] If the accused thereafter absconds, a fresh FIR can

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(P D B J)
05.06.2026

PNM

TO

1. The Additional District Judge,
Special Court for EC and NDPS Cases, Thanjavur
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
3. The Superintendent, Central Prison, Trichy.
4. The Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District,
5. 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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