



CRL OP(MD) . No.11090 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD) . No.11090 of 2026

M.Selvam @ Selvaraj,
S/o.Murugan @ Murugesan,
No.64, R.M.Colony,
Pottapanaiyur,
Madurai District..

... Petitioner/Accused No.2

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
NIB-CID Police Station,
Madurai District.
Cr.No.2 of 2024..

... Respondent/Complainant

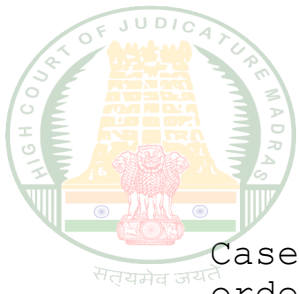
For Petitioner : Mr.K.Sheenivasan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-32B.To enlarge the petitioner on bail in
connection with the C.C.No.226 of 2024 on the
file of the learned Principal EC and NDPS Act



CRL OP(MD). No.11090 of 2026

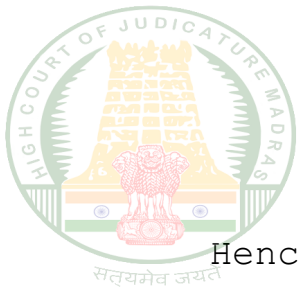
Cases, Madurai, in Cr.No.2 of 2024 such further orders as this Hon'ble Court may deem fit and proper in the facts and...

ORDER : The Court made the following order :-

The petitioner / A2, who was arrested and remanded to judicial custody on 15.01.2024 for the offences punishable under Sections 8(c), 20(b) (ii) (C), 25 and 29(1) of NDPS Act, 1985, in Crime No.2 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 14.01.2024, at 14.30 hours, based on the secret information received by the Sub Inspector of Police, he along with police team proceeded to Trichy National Highway No.38, opposite Shell petrol Bunk, Authukal Junction Privu, and conducted surveillance, at that time, they found that the they found that the petitioner along with other accused were in illegal possession of 100 kgs of Ganja, which is a commercial quantity.

2/9



CRL OP(MD). No.11090 of 2026

Hence the case.

WEB COPY

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 15.01.2024. He would further submit that no previous case is pending against the petitioner and he is only acting driver of the vehicle. He would also submit that the investigation in this case is also completed and final report filed before the concerned Court. The learned counsel appearing for the petitioner relied on the judgment of the Hon'ble Supreme Court in the case of **Ankur Chaudhary vs. State of Madhya Pradesh** in Special Leave to Appeal (crl.) No.4648 of 2024. Hence, he prays to grant bail to the petitioner.

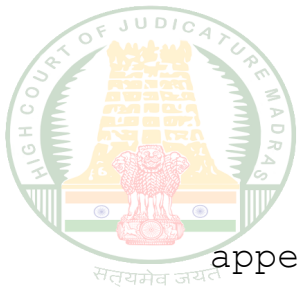


CRL OP(MD). No.11090 of 2026

WEB COPY 4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the petitioner along with other accused were found in illegal possession of 100 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 the fact that though the petitioner has nine previous cases and also taking into consideration the period of incarceration suffered by the petitioner and also taking into consideration the judgment relied on by the learned counsel



CRL OP(MD). No.11090 of 2026

appearing for the petitioner in the case of **Ankur**

WEB COPY

Chaudhary.vs. State of Madhya Pradesh in Special Leave to Appeal (crl.) No.4648 of 2024, Wherein the Hon'ble Supreme Court has observed that it is to observe that failure to conclude the trial within a reasonable time in prolonged incarceration militates Article 21 of the Constitution of India and as such conditional liberty overriding the statutory embargo created under Section 37(1)(b) of the NDPS Act, in such circumstances, be considered. In the case of hand also the case is posted for trial and so far the trial has not been concluded and there is no scope to conclude the trial within the short time, this Court is inclined to grant bail to the petitioner subject to the following conditions: ,

[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



WEB COPY



CRL OP(MD). No.11090 of 2026

only) with two sureties each for a like sum to the satisfaction of the Principal 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



WEB COPY



CRL OP(MD). No.11090 of 2026

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 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



CRL OP(MD). No.11090 of 2026

WEB COPY

(P D B J)
24.06.2026

VSG

TO

- 1.The Principal EC and NDPS Act Cases, Madurai.
2. The Superintendent, Central Jail, Madurai.
- 3.The Inspector of Police,
NIB-CID Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD) . No.11090 of 2026

P. DHANABAL, J. ,

vsg

ORDER
IN
CRL OP(MD) No.11090 of 2026

Date : 24/06/2026