



CRL OP(MD). No.8533 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2026

PRESENT

The HONOURABLE **MR. JUSTICE P. DHANABAL**

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Subbaiah @ Suresh,
S/o. Nambi, 313, South Street,
Kovilammalpuram, Kalakadu,
Tirunelveli District.

Now At,
Gnanasampanthapuram, Kalakadu,
Tirunelveli District..

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
Crime No.115 of 2026.

... Respondent/Complainant

For Petitioner : Mr.T.A. Ebenezer,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.115 of 2026 on
the file of the respondent police.

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WEB COPY ORDER : The Court made the following order :-

The petitioner/Sole accused, who was arrested and remanded to judicial custody on 26.01.2026 for the offences punishable under Sections 8(C) and 20(b)(ii)(B) of NDPS Act, 1985, in Crime No. 115 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 26.01.2026, based on the secret information received by respondent Police, they went to the place of occurrence, at that time, they found that the accused person was in illegal possession of 1.250 kgs of Ganja. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the respondent Police registered a case against the petitioner for the offences punishable under Sections 8(C)



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and 20(b)(ii)(B) of NDPS Act, 1985. He would further contend that the contraband recovered from the petitioner is not a commercial quantity. He would further submit that the petitioner is an innocent person and he has been falsely implicated in this case. He is in judicial custody from 26.01.2026. Therefore, he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the contraband recovered is not a commercial quantity. He would further submit that the investigation is pending and the offences are grave in nature. He would further submit that the petitioner has six previous cases. Hence, he strongly opposed to grant bail to the petitioner.

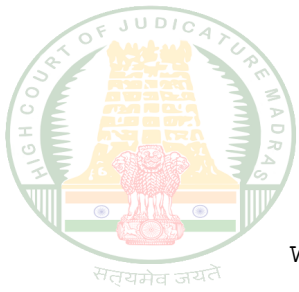
5. This Court heard both sides and perused the materials available on record.



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WEB COPY 6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and the contraband recovered from the petitioner is not a commercial quantity and as the date of occurrence is 26.01.2026, by this time material part of the investigation might have been completed and though the petitioner has six previous cases, the same are not similar kind of offences and in all cases, he was released on bail and also considering the period of incarceration undergone by the petitioner from 26.01.2026, 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 only)



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with two sureties each for a like sum to the satisfaction of the learned Special Court for NDPS Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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;



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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 thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
29.04.2026

VSG



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TO

1.The learned Special Court for NDPS Act Cases,
Madurai,

2.The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District..

3. The Superintendent, Central Prison,
Palayamkottai.

4. 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.8533 of 2026

Date : 29/04/2026