



CRL OP(MD). No.8573 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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Surya Prathap @ Thol,
S/o. Suresh,
Puthu Nagar,
Thiruvanthipuram, M.Pudur,
Cuddalore District..

... Petitioner/Accused No.6

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thiruppapuliyur Police Station,
Cuddalore District.
Crime No. 129 of 2025.

... Respondent/Complainant

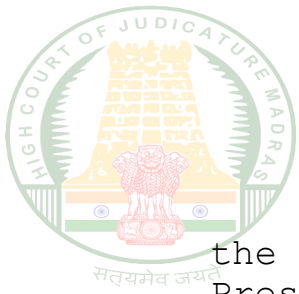
For Petitioner : Mr.M Vivek,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

to enlarge the Pettitioner/ Accused No 6 on
bail in pending case of C.C. No 175 of 2025 on



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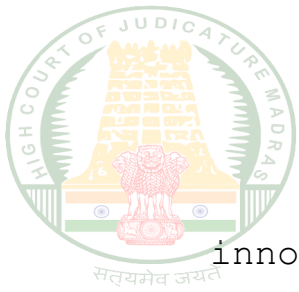
the file of the Additional District Judge/
Presiding Officer, Special Court Under Essential
Commodities Act, Thanjavur and thus renders
justice.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and
remanded to judicial custody on 28.03.2025 for
the offences punishable under Sections 8(C) r/w
20(b)(ii)(C) of NDPS Act, 1985, in Crime No.129
of 2025 on the file of the respondent police,
seeks bail.

2.The case of the prosecution is that on
28.03.2025, based on the secret information, the
respondent Police proceeded to the place of
occurrence and found that the petitioner and
other accused person were in illegal possession
of 23 kgs of Gnaja. Hence the case.

3. The learned counsel appearing for the
petitioner would submit that the petitioner is

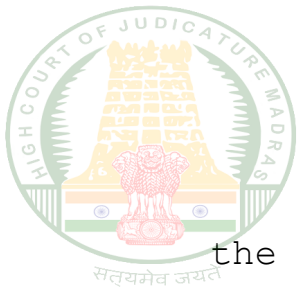


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innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that even though as per prosecution, total contraband seized from all the accused is 23 kg, the contraband recovered from the petitioner is only 1 kg and to that effect separate mahazar has been preferred and he has been arrested and remanded to judicial custody on 28.03.2025. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent strongly opposed to grant bail to the petitioner on the ground that the offence are grave in nature and the commercial quantity is involved in this case. He further submit that the petitioner has four previous cases. He would further submit that now the case in C.C. No 175 of 2025 on the file of

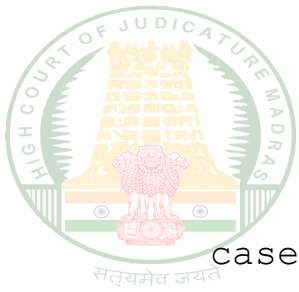


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the Additional District Judge/ Presiding Officer,
Special Court Under Essential Commodities Act,
Thanjavur, was posted for trial.

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, the nature of
the offence and though the prosecution stated
that the quantity of contraband involved in this
case is a commercial quantity, the contraband
was recovered from different persons through
separate mahazar and the same has been clubbed
together and as far as this petitioner is
concerned, the alleged contraband recovered is 1
kg and the same is not a commercial quantity and
though the petitioner has four previous cases,
the same are not similar kind of offences and in
all cases, he was released on bail and now the



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case in C.C. No 175 of 2025 on the file of the Additional District Judge/ Presiding Officer, Special Court Under Essential Commodities Act, Thanjavur, was posted for trial and the co-accused were arrested and released on bail and also considering the period of incarceration undergone by the petitioner from 28.03.2025, 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) with two sureties each for a like sum to the satisfaction of the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, and on further conditions that:



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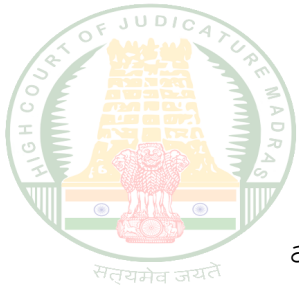
[b] the petitioner shall report before the trial Court on all working days Morning at 10.30 a.m., and Evening at 05.00 p.m., until further orders.

[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;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take



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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)
05.06.2026

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- TO
- 1.The learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.
 - 2.The Superintendent, Central Jail, Cuddalore.
 - 3.The Inspector of Police, Thiruppapuliur Police Station, Cuddalore District.
 - 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J. ,

vsg

ORDER
IN
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