



CRL OP(MD). No.8854 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.03.2026

PRESENT

THE HONOURABLE **MR. JUSTICE P. DHANABAL**

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Bala ...Petitioner/A6
Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.
(Crime No.69 of 2025)

...Respondent/Complainant

For Petitioner : Mr.K.Subburaj
for Mr.Nishanth
Advocate.

For Respondent : Mr.B.Nambi Selvam
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No. 69 of 2025 on the
file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / A6, who was arrested and remanded to judicial custody on 19.04.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS, Act, 1985, in Crime No. 69 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused were in illegal possession of 21 kgs and 100 gms 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 and others. He would further submit that only based on the confession of A1, the petitioner has been arrayed as A6. He would further submit that no contraband was recovered from this petitioner.



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Even as per the prosecution, the petitioner's vehicle has not been involved in transportation of contraband and the contraband was seized only from the vehicle used by A1 and hence, the petitioner has not in conscious possession of contraband. Hence, he prayed to grant bail for the petitioner. He also relied upon the judgment of the Honourable Supreme Court in the case of ***Raja Vs. State of Tamil Nadu*** in ***Crl.A.No.106 of 2026***.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that on the date of occurrence, all the accused were intercepted by the respondent Police together and they travelled together in four motorcycles. He would further submit that A1 was in possession of the contraband in his vehicle and the petitioner and other accused also accompanied with A1 and thereby, all the accused have been in conscious



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possession of the contraband and hence, he strongly opposed to grant bail to the petitioner.

However, he would further submit that no previous case is pending against 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, nature of offence, and only based on the confession of A1, the petitioner has been arrayed as accused and the contraband was not recovered from this petitioner, per contra entire contraband was recovered from A1 and the petitioner's vehicle was not used for transportation of contraband, the petitioner has no previous case for a similar kind of offence and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the



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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 learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, and on further conditions that:

[b] the petitioner shall report before the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur on all hearing dates 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



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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 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



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SCW 5560].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)

25.03.2026

vsg

To

- 1.The learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur,
- 2.The Superintendent,
Central Prison, Cuddalore.
- 3.The Inspector of Police,
Annamalai Nagar 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
CRL OP (MD) No. 8854 of 2025

Date : 25.03.2026