



CRL OP(MD). No. 9095 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Sathish

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Rayappanpatti Police Station
Theni.
(Crime No. 277 of 2024)

...Respondent/Complainant

For Petitioner : Mr.L.Absar Ussain
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 277 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner / Accused, who was arrested and remanded to judicial custody on 04.11.2024 for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25 & 29(1) of NDPS Act, 1985 in Crime No. 277 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 03.11.2024 at about 10.00 a.m., when the respondent police were on patrol duty, they found that the petitioner and other accused were in joint illegal possession of 24 kgs of contraband. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is 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 the petitioner was in separate possession of 6 kgs of contraband, which is not a commercial quantity. He would further submit that he has been arrested and remanded to judicial custody on 04.11.2024. Therefore, prayed to grant bail for the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner and other accused were in joint illegal possession of 24 kgs of contraband, due to which the case has been registered under Sections 8(c), 20(b)(ii)(C), 25 & 29(1) of NDPS Act, 1985 in Crime No. 277 of 2024. 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 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 considering the fact that though contraband involved in this case is a commercial quantity, the contraband recovered from the petitioner is not a commercial quantity and even as per the prosecution, through separate mahazar, separate quantity was recovered and the petitioner has no previous case and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the 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 Principal Special Judge for trial of NDPS Act cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the learned Principal Special Judge for trial of NDPS Act cases, Madurai, on all working days at 10.30 a.m. and 5.00 p.m., until further orders;

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



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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.

(P D B J)
15.04.2026

apd



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To

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1. The III Additional Special Judge for trial of NDPS Act cases,
Madurai.
2. The Inspector of Police,
Rayappanpatti Police Station
Theni.
3. The Superintendent, Cental Prison, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 9095 of 2025

Date : 15.04.2026
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