



CrI.O.P.(MD)No.9151 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 9151 of 2025

1.Gundu Bala @ Akash
2.Karthi @ Karthikeyan

... Petitioners

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thiruppapuliyar Police Station,
Cuddalore District.
(Crime No.129 of 2025)

...Respondent/Complainant

For Petitioner : Mr.S.MP.Amalan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 129 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, 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,



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seeks bail.

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2. The case of the prosecution is that **on secret information on 28.03.2025, at about 13.00 hours, the police officials went to the place of occurrence, where the accused were found possession of one white sack bag, two plastic bags, fifteen small plastic pockets prepared for sale, additional plastic packets intended for packaging. They were arrested on the spot itself and the respondent police registered the case.**

3. The learned counsel appearing for the petitioner would submit that the **petitioners are innocent and they have not involved in any offence as alleged in the FIR. The petitioners are falsely implicated in this case. The petitioners were went to that area only to meet their friend. But, they were picked up by the police officials and no contraband was recovered from the petitioners directly. The petitioners have no previous case. Investigation has also been completed and final report has been filed by the respondent police officials.** Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the **offences are henious in nature. All the accused were**



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arrested on the date of occurrence itself and found possession of huge quantity of contraband. After completing the investigation, final report has been filed before the special Court and the same was taken cognizance in C.C.No.175 of 2025 and pending for trial on the file of learned Additional District and Sessions Judge, Special Court under E.C.Act Cases, Thanjavur. The petitioners have some previous cases. Hence, he vehemently opposed the grant of bail to the petitioners.

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 according to the prosecution, the quantity of contraband involved in this case is commercial quantity but as per the recovery mahazar, no specific recovery was made from the particular accused and the contraband was recovered from all the accused in common, and in the absence of any specific recovery from the petitioners and even though the petitioners are having some previous cases, in all those cases, they were released on bail, investigation also completed and the case is pending for trial before the trial Court and also considering the period of incarceration of the petitioner from 28.03.2025, this



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Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the **Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur** and on further conditions that:

[b] the petitioners shall report before the **Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, at 10.30 a.m. and 05.00 p.m., on all working days, until further orders;**

[c] the petitioners 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 petitioners shall not abscond either during investigation or trial;

[e] the petitioners 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



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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)
07.04.2026

TM

To

- 1.The Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.
- 2.The Inspector of Police,
Thiruppapuliyar Police Station,
Cuddalore District.
(Crime No.129 of 2025)
- 3.The Superintendent, Central Prison, Cuddalore.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 9151 of 2025

Date : 07.04.2026