



Crl.O.P.(MD)No.8881 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 8881 of 2026

Markandeyan

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
NIBCID Police Station,
Madurai, Madurai District.
(Crime No.178 of 2016)

...Respondent/Complainant

For Petitioner : Ms.M.Niranjana Devi
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 178 of 2016 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 12.01.2026, for the offences punishable under Sections 8(c), r/w. 20(b)(ii)(C) & 25 of NDPS Act, in Crime No.178 of 2016 on the file of the



Crl.O.P.(MD)No.8881 of 2026

respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that on originally the FIR was registered in the year 2016. After completion of investigation, charge sheet has been filed and the trial was commenced in C.C.No.101 of 2017 on the file of the Sessions Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai. Pending trial the petitioner was absent. Hence, the learned Sessions Judge, issued Non Bailable Warrant 20.10.2023. The same was executed by the respondent police and the accused was arrested and remanded into judicial custody on 12.01.2026.

3. he learned counsel appearing for the petitioner would submit that the investigation has been completed and charge sheet has been filed and the case is in trial stage. Only due to the non appearance of the petitioner NBW was issued against the petitioner. On execution of the same the petitioner was arrested. The absence of the petitioner pending trial is not wanton. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. The quantity



CrI.O.P.(MD)No.8881 of 2026

involved in this case is commercial quantity. The trial before the trial Court is almost completed. During the trial process the petitioner was absent. Hence, the NBW was issued by the trial Court and the same was executed. He vehemently opposed the grant of bail to the petitioner. He has no previous case.

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, considering the nature of charges levelled against the petitioner, though the quantity involved in this case is commercial quantity, already the petitioner was enlarged on bail by this Court, thereafter due to his non appearance the trial Court has issued Non Bailable Warrant and the same was executed, now the petitioner is in custody from 12.01.2026, the case is also pending in trial trial stage and considering the period of incarceration undergone by the petitioner, 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



CrI.O.P.(MD)No.8881 of 2026

WEB COPY

satisfaction of the learned District and Sessions Judge, Principal Special Court under EC & NDPS Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the learned District and Sessions Judge, Principal Special Court under EC & NDPS Act Cases, Madurai, at 10.30 a.m., on all working days, 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 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



Crl.O.P.(MD)No.8881 of 2026

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)
09.06.2026

TM

To

- 1.The District and Sessions Judge, Principal Special Court under EC & NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
NIBCID Police Station,
Madurai, Madurai District. (Crime No.178 of 2016)
- 3.The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)No.8881 of 2026

P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 8881 of 2026

Date : 09.06.2026