



CRL OP(MD). No.10606 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.10606 of 2026

Kakan @ Kakayan,
S/o.Chinnakaalai,
No. 6/44, Pudhupatti,
Uranganpatti,
Melur Taluk,
Madurai District..

... Petitioner/Accused No.4

Vs

State Rep. by,
The Inspector of Police,
NIB CID.
Nagapattinam District.
Crime No. 53/2019..

... Respondent/Complainant

For Petitioner : R.Balamuruganantham,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-32B. To enlarge the petitioner /accused
on bail in connection with the case in C.C.No.

1/8



CRL OP(MD). No.10606 of 2026

32/2025 pending on the file of the Learned Special Additional District and Sessions Court for Essential Commodities Act, Thanjavur District and thus render justice.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 04.10.2019 for the offences punishable under Sections 8(C) r/w 20(b)(ii)(C) and 25 of NDPS Act, in Crime No. 53 of 2019 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the date of occurrence, based on the secret information, the respondent Police was on patrol duty, at that time, they found that the petitioner and other accused persons were in illegal possession of 300 kgs of Ganja. Hence, the respondent police registered a case against the accused for the aforesaid offences and arrested them.

2/8



CRL OP(MD). No.10606 of 2026

WEB COPY

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He would further submit that no contraband was recovered from the petitioner and based on the confession of the co-accused, he has been implicated in this case. The petitioner has been arrested and remanded to judicial custody from 04.10.2019. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner has three previous cases, which are similar in nature. He would further submit that the investigation is still pending and the offences are grave in nature. Hence, he strongly opposed to grant bail to the petitioner.



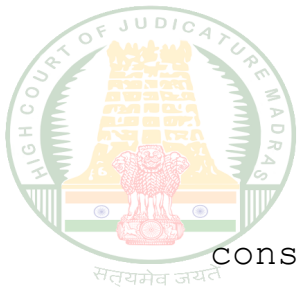
CRL OP(MD). No.10606 of 2026

WEB COPY

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, quantity of the material involved in this case and considering the fact that the petitioner was arrayed as accused only based on the confession of the co-accused and no contraband was recovered from this petitioner and according to the prosecution, the entire contraband was recovered from the other accused and the FIR has been registered on 04.10.2019 and the petitioner has been arrayed as accused in the year 2024 and though the petitioner has three previous cases, in those cases, no contraband was recovered from this petitioner and in all cases, he was released on bail, and the investigation has been completed and charge sheet has also been filed and the co-accused were released on bail and also



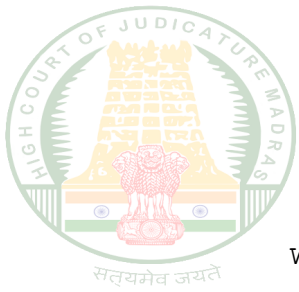
CRL OP(MD). No.10606 of 2026

considering the period of incarceration undergone by the petitioner from 04.10.2019, 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 Special Additional District and Sessions Court for EC Act, Thanjavur District, and on further conditions that:

[b] the petitioner shall report before the learned Special Additional District and Sessions Court for EC Act, Thanjavur District, on all working days at 10.30 a.m.,until further orders.

[c] the petitioner shall not commit any offence similar to the offence of



CRL OP(MD). No.10606 of 2026

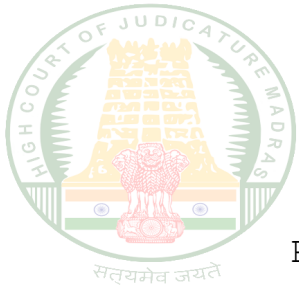
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which she is accused, or suspected, or of the commission of which she is suspected;

[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 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



CRL OP(MD). No.10606 of 2026

P.K.Shaji vs. State of Kerala [(2005)AIR

WEB COPY SCW 5560].

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

(P D B J)
19.06.2026

VSG

TO

1.The learned Special Additional District and Sessions Court for EC Act, Thanjavur District.

2. The Superintendent, Central Prison, Madurai, Madurai District. .

3.The Inspector of Police,
NIB CID.
Nagapattinam District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD) . No.10606 of 2026

P. DHANABAL, J. ,

vsg

ORDER
IN
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