



CRL OP(MD). No.9170 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.9170 of 2026

M.Akash

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police, Cuddalore NT Police Station,
Cuddalore District,
Crime No.442/2025.

... Respondent/Complainant

For Petitioner : Mr.Gavin Silvester

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Cr.No.442 of 2026 on the file of the respondent Police.



CRL OP(MD). No.9170 of 2026

ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 05.10.2025 for the offences punishable under Section 8(c) r/w 20(b)(ii)(C) of NDPS Act, in Crime No.442 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.10.2025 at about 10.00 a.m, on secret information, the respondent police went to the Velisemmandalam Area, and found the petitioner and other accused are having illegal possession 22 kgs of ganja. 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 has been roped as an accused based on the confession of co-accused. Co-accused in this case were already released on bail. It is alleged that the petitioner was in separate possession of ganja, which is not a commercial quantity. He would further submit that he has been arrested and remanded to judicial custody on 05.10.2025. Therefore,

2/7



CRL OP(MD). No.9170 of 2026

prayed to grant bail for the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner and other accused were found in joint possession of 22kgs of ganja, which is a commercial quantity. He would further submit that the petitioner has previous cases. Considering the nature of grave offence, 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 though as per prosecution, the quantity of contraband involved in this case is a commercial quantity, the contraband were recovered through separate mahazar from different persons in public place and the same has been clubbed together and treated as commercial quantity. As far as this petitioner is concerned, the alleged contraband recovered from him is not a



CRL OP(MD). No.9170 of 2026

commercial quantity. Considering further that the petitioner has been granted bail in the previous cases registered against him as well as 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, this Criminal Original Petition is allowed and 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, Special Court for EC and NDPS Cases, Thanjavur**, and on further conditions that:*

*[b] the petitioner shall report before the **Special Court for EC and NDPS Cases, Thanjavur**, 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 which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;



CRL OP(MD). No.9170 of 2026

WEB COPY

[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 him 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 SCW 5560].

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

(P D B J)
05.06.2026

PNM



CRL OP(MD). No.9170 of 2026

WEB COPY

TO

1. The Additional District Judge,
Special Court for EC and NDPS Cases, Thanjavur
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
3. The Superintendent, Central Prison, Trichy
4. The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore District,
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.9170 of 2026

P. DHANABAL,J

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ORDER
IN
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