



CRL OP(MD). No.9311 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Sakthivel

... Petitioner/ Accused No.1

Vs

The State of Tamilnau Rep by,
The Inspector of Police,
PEW-Thiruverumbur Police Station,
Trichy.

Cr.No.49 of 2025.

... Respondent/ Complainant

PRAYER :-

To enlarge the petitioner on bail in C.C.No.116 of 2025 on the file of the Additional District and Sessions Judge/Presiding Officer, Special Court under Essential Commodities and NDPS Act Pudukottai and pass such further or other orders.

For Petitioner : N.Ananda Kumar,
Advocate.

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

ORDER : The Court made the following order :-



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The petitioner / Accused, who was arrested and remanded to judicial custody on 20.03.2025 for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(C) of NDPS Act, 1985, in Crime No. 49 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 19.03.2025, at about 05.30 p.m., when the respondents police were in patrol duty, they found that the petitioner and another accused were in illegal joint possession of 21 kg 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 would further submit that the petitioner was in separate possession of 11 kgs of ganja, which is not a commercial quantity. He would further submit that he has been arrested and remanded to judicial custody on 20.03.2025. In this case, co-accused (A2 & A3) have already been enlarged on bail. Therefore, 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 illegal possession of 21 kgs of ganja, which is a commercial quantity and the petitioner has 6 previous cases out of which, 4 cases are similar in nature. Hence, he strongly opposed to grant bail to the petitioner. He would further submit that the co-accused were already released on bail by this Court and already Act 14 was invoked as against the petitioner and subsequently, the same was quashed by this Court.

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 the prosecution stated that the quantity of contraband involved in this case is a commercial quantity, the contraband recovered through separate mahazars have been clubbed together and as far as this petitioner is concerned, the alleged contraband recovered is 11 kg and the same is not



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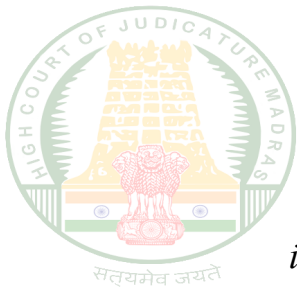
a commercial quantity and though the prosecution stated that the petitioner has some previous cases including NDPS cases, already he got bail in that cases and the co-accused were already released on bail by this Court and already Act 14 was invoked as against the petitioner and the same was quashed by this Court 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:

[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 and Sessions Judge/Presiding Officer, Special Court under Essential Commodities and NDPS Act, Pudukottai and on further conditions that:

[b] the petitioner shall report before the Additional District and Sessions Judge/Presiding Officer, Special Court under Essential Commodities and NDPS Act, Pudukottai, daily 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



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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 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)
17.06.2026

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P. DHANABAL,J

DSS

TO

1. The *Additional District and Sessions Judge/Presiding Officer, Special Court under Essential Commodities and NDPS Act, Pudukottai.*
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
3. The Superintendent, Central Prison, Trichy.
4. The Inspector of Police,
PEW-Thiruverumbur Police Station, Trichy.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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