



CRL OP(MD). No.9493 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

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Hamsavarthan

... Petitioner/Accused-2

Vs

State of Tamilnadu Rep by
Inspector of Police,
Prohibition Enforcement Wing,
Nagarcoil,
Kanyakumari District.
Crime No.53/2026.

... Respondent/Complainant

For Petitioner : Mr.K.Vignesh

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.53/2026 on the file of the respondent Police.
ORDER : The Court made the following order :-

1/6



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The petitioner / Accused, who was arrested and remanded to judicial custody on 11.04.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of NDPS Act (Narcotic Drugs and Psychotropic Substance Act), in Crime No.53 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that during the course of routine vehicle checking, the petitioner along with the other accused persons was found moving in a suspicious manner. The respondent police conducted a search and found that the petitioner and another accused person were in illegal possession of 2.750 kilograms of ganja. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person 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 he has been arrested and remanded to judicial custody on 11.04.2026. Therefore, prayed to grant bail for the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was in illegal possession of 2.750 Kilograms of ganja. He would further submit that the petitioner has one previous cases, which is similar in nature and the investigation is pending and the offences are grave in nature and hence, 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 quantity of contraband involved in this case is not a commercial quantity 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, 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



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each for a like sum to the satisfaction of the learned Principal Special Court for Narcotic Drugs and Psychotropic Substance Act Cases, Madurai and on further conditions that:

[b] the petitioner shall report before the respondent police on every Monday and Friday 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;

[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



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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.

(R V J)
20.05.2026

APD

TO

1. The Principal Special Court for Narcotic Drugs
and Psychotropic Substance Act Cases,
Madurai
2. The Superintendent,
Sub Jail,
Nagercoil,
Kanyakumari District.
3. Inspector of Police,
Prohibition Enforcement Wing,
Nagarcoil,
Kanyakumari District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR,J

APD

ORDER
IN
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