



CRL OP(MD). No.9650 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Sarathkumar

... Petitioner/ Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Theppakulam Police Station,
Madurai City.
Cr. No. 264/2023.
Respondent/Complainant

...

PRAYER :-

To enlarge the petitioner on bail in Crime No. 264/2023 on the file of the respondent police, in connection with CC No.1017/2023 pending on the file of the Special Court for NDPS Act Cases, Madurai and thus render justice.

For Petitioner : Santhanam Rajesh Kumar B,
Advocate.

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

ORDER

The petitioner / A2, who was arrested and remanded to judicial

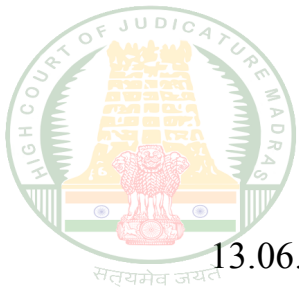


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custody on 13.06.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1) of Narcotic Drugs & Psychotropic Substances Act, in Crime No.264 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 13.06.2023, at about 08.00 am, on secret information, the respondent police went to the place of occurrence, near Keel Madurai Railway Station, near Muniyandi Kovil, and on seeing the police party, the accused tried to escape from the scene of occurrence and on searching, the accused were found in illegal possession of 24 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 contraband recovered from the petitioner is only 6 kg, which is not a commercial quantity and no previous case is pending against the petitioner and the co-accused was released on bail and he has been arrested and remanded to judicial custody on



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13.06.2023. Therefore, prayed to grant bail for the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner on the ground that the accused were found in illegal possession of 24 kg of ganja, which is a commercial quantity. Hence, he strongly opposed to grant bail to the petitioner. He would further submit that the investigation was completed and charge was filed and the same was taken on file in C.C.No.1017 of 2023 and the petitioner has no previous cases and the co-accused was released on bail.

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 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



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recovered is 6 kg and the same is not a commercial quantity and already the co-accused was released on bail and no previous case is pending against the petitioner and already investigation was completed and charge sheet was also filed 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 each for a like sum to the satisfaction of the **Principal Court for NDPS Cases, Madurai**, and on further conditions that:

[b] the petitioner shall report before the **Principal Court for NDPS Cases, Madurai, 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 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;



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[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 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.

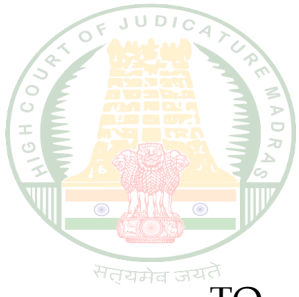
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P. DHANABAL,J

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- 1.The Principal Court for NDPS Cases, Madurai.
- 2.The Inspector of Police,
Theppakulam Police Station, Madurai City.
- 3.The Superintendent,
Central Prison, Madurai, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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Date : 11/06/2026