



CRL OP(MD). No.9830 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

CRL OP(MD). No.9830 of 2026

Prathap Suwain

... Petitioner/ Accused No.17

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore District
(Crime No. 442 of 2025).

... Respondent/Complainant

PRAYER :-

To release the petitioner on Bail in C.C.No. 40 of 2026 on the file of the Special Court under Essential Commodities Act, Thanjavur in connection with the case in Crime No. 442 of 2025 on the file of the Respondent Police..

For Petitioner : M/s.Vimala.P.,
Advocate.

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

ORDER

The petitioner / A17, who was arrested and remanded to judicial



CRL OP(MD), No.9830 of 2026

custody on 01.04.2026 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, 1985, 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 08.00 am, on secret information, the respondent police went to the place of occurrence and conducted usual check up near Pachaiyankuppam, and found that the accused were in illegal possession of 22 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 no recovery was made from this petitioner and the the entire recovery was made from A1, A5 & A7 and the petitioner has been arrested and remanded to judicial custody on 01.04.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the

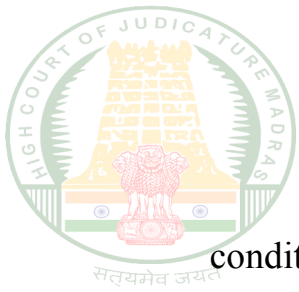


CRL OP(MD), No.9830 of 2026

respondent strongly opposed to grant bail to the petitioner on the ground that the accused were found in illegal possession of 22 kg of ganja, which is a commercial quantity and the petitioner has 1 previous case similar in nature. Hence, he strongly opposed to grant bail to the petitioner. He would further submit that the investigation was completed and charge was filed.

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, no recovery was made from this petitioner and the the entire recovery was made from A1, A5 & A7 and though the prosecution stated that the petitioner has 1 previous case, in that case, he was released on bail 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



CRL OP(MD), No.9830 of 2026

conditions:

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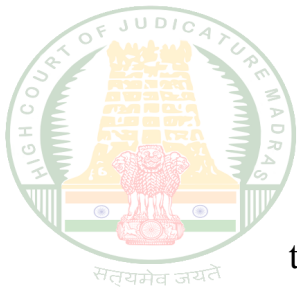
[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Additional District Judge/Presiding Officer, Special Court under E.C Act, Thanjavur (FAC)**, and on further conditions that:

[b] the petitioner shall **report before the trial Court 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;

[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



CRL OP(MD), No.9830 of 2026

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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].

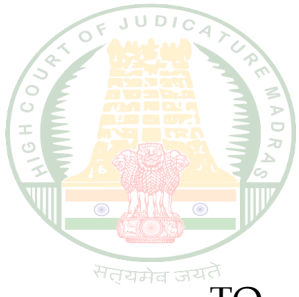
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

11.06.2026

dss

P. DHANABAL,J

dss



CRL OP(MD), No.9830 of 2026

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- 1.The Additional District Judge/Presiding Officer, Special Court under E.C Act, Thanjavur (FAC).
- 2.The Inspector of Police,
Cuddalore NT Police Station, Cuddalore District.
- 3.The Superintendent,
Central Prison, Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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Date : 11/06/2026