



CRL OP(MD). No.10402 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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K.Salman @ Muhammad Salmanul Faris,
S/o. Kunju Mohammed,
Kooliodan House,
Puzhakkatri Post,
Puzhakkatri,
Malapuram District
Kerala..

... Petitioner/Accused No.6

Vs

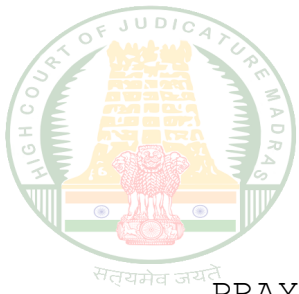
The State of Tamilnadu Rep.,
By, the Inspector of Police,
Periyakulam Police Station,
Theni District
(Crime No. 135 of 2024).

... Respondent/Complainant

For Petitioner : Mr.SMA.Jinnah,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

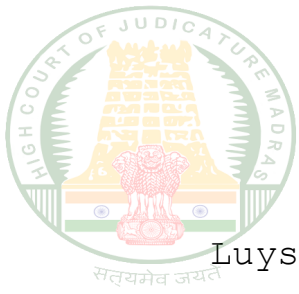
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C-32B. For Bail in Crime No. 135 of 2024 on the file of the respondent police...

ORDER : The Court made the following order :-

The petitioner/Accused No.6, who was arrested and remanded to judicial custody on 31.07.2024 for the offences punishable under Sections 8(c), r/w. 20(b)(ii)(A), 22(c), 25 and 29(1) of NDPS Act, in Crime No.135 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 30.06.2024, the Sub Inspector of Police, Periyakulam Police Station, based on the secret information, went along with a police party near Periyakulam to Kumbakarai Road, at that time, they found that the petitioners were in illegal possession of 81.63 grams of Meth @ Methamphetamine Crystal and 0.22 gms of LSD @



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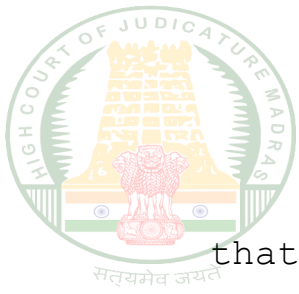
Luysergic acid Diethylamide and 100 gms of Ganja

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in a two vehicles. 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. No contraband was recovered from this petitioner. The petitioner has been arrested and remanded to judicial custody on 31.07.2024. The learned counsel appearing for the petitioner relied on the judgment of the Hon'ble Supreme Court in the case of **Ankur Chaudhary vs. State of Madhya Pradesh** in Special Leave to Appeal (crl.) No.4648 of 2024. Therefore, he prayed to grant bail for the petitioner.

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



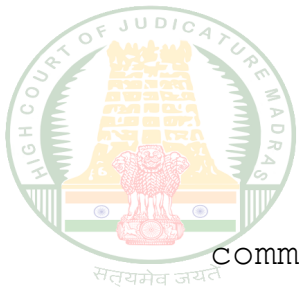
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that the offence are grave in nature. The accused persons are in possession of 81.63 grams of Meth @ Methamphetamine Crystal and 0.22 gms of LSD @ Luysergic acid Diethylamide and 100 gms of Ganja. The contraband was recovered from A1 to A5 and no contraband was recovered from the petitioner. The petitioner has one previous case. The quantity involved in this case also commercial quantity. The investigation is still pending. Hence, he vehemently opposed the grant of bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

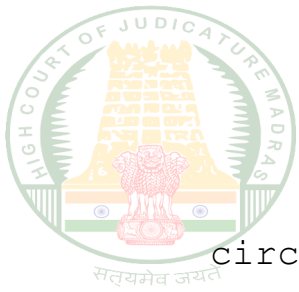
6. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioner, though the prosecution has stated that the quantity involved in this case is



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Commercial quantity, no contraband was recovered from this petitioner and the entire contraband was recovered from A1 to A5 and though the prosecution stated that the petitioner has one previous case and the same is not a commercial quantity and in that case, he was released on bail and also taking into consideration the period of incarceration suffered by the petitioner and also taking into consideration the judgment relied on by the learned counsel appearing for the petitioner in the case of **Ankur Chaudhary vs. State of Madhya Pradesh** in Special Leave to Appeal (crl.) No.4648 of 2024, Wherein the Hon'ble Supreme Court has observed that it is to observe that failure to conclude the trial within a reasonable time in prolonged incarceration militates Article 21 of the Constitution of India and as such conditional liberty overriding the statutory embargo created under Section 37(1)(b) of the NDPS Act, in such



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circumstances, be considered. In the case of hand

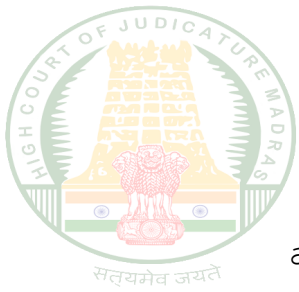
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also, the material part of the investigation might have been completed and hence, this Court is inclined to grant bail to the petitioner subject to the following conditions: , this Court is inclined to grant bail to the petitioner subject to the following 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 **learned Principal Special Court for Trial of EC and NDPS Act Cases, Madurai**, and on further conditions that:

[b] **the petitioner shall report before the respondent Police daily at 10.30 a.m., and 05.00 p.m., until further orders.**

[c] the petitioner shall not commit



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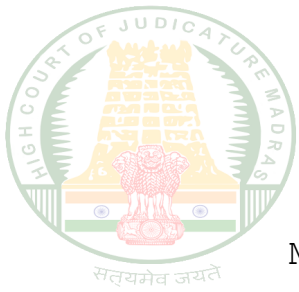
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any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

[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 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



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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)
25.06.2026

VSG

TO

1.The learned Principal Special Court for Trial of EC and NDPS Act Cases, Madurai.

2.The Superintendent, District Jail, Theni District.

3.Inspector of Police,
Periyakulam Police Station,
Theni District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J. ,

vsg

ORDER
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