



CRL OP(MD). No.11018 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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Sathiyaraj,
S/o. Natarajan,
Singarajapuram,
Tamilnadu,
(Presently Being Confined
at Central Prison Madurai).
... Petitioner/Accused No.3

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kadamalaikundu Police Station,
Theni.
Crime No. 35 of 2023..
... Respondent/Complainant

For Petitioner : Ms.Kavitha K,
Advocate.
For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

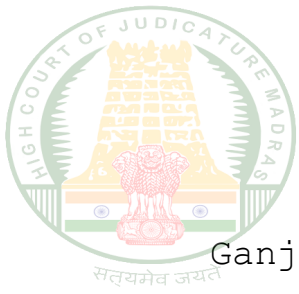
WEB COPY C-32B. To enlarge the Petitioner/Accused No. 3 on bail in C.C. No. 808 of 2023 on the file of the Honourable II Additional EC and NDPS Judge, Madurai in Crime No. 35 of 2023 on the file of the respondent police and shall pass such other orders....

ORDER : The Court made the following order :-

The petitioner / A3, who was arrested and remanded to judicial custody on 25.01.2023 for the offences punishable under Sections 8(c) r/w 20(b) (ii) (C), 25 and 29(1) of NDPS Act, 1985, in Crime No.35 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.01.2023, at about 15.30 hours, based on the secret information received by the Sub Inspector of Police regarding the illegal transportation of Ganja, the police officials conducted vehicle check up at that time they found that the accused persons were in illegal possession of 61 kgs of

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Ganja in a Bolero Pickup vehicle bearing
Registration No.TN 55 CZ 1518. Hence the case.

3. The learned counsel for the petitioner would submit that the respondent police has registered a false case against the petitioner and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has been arrested and remanded to judicial custody on 25.01.2023. He would also submit that the investigation in this case is also completed and final report filed before the concerned Court. 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. Hence, he prays to grant bail to the petitioner.



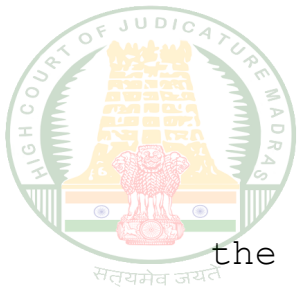
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4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the petitioner along with other accused were found in illegal possession of 61 Kgs of ganja which is a commercial quantity. There are materials available as against the petitioner. Hence, he opposed to grant bail to the petitioner.

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

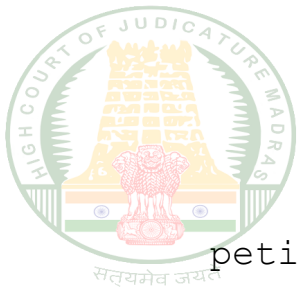
6. Considering the rival submissions made by the learned counsel on either side and the fact that the quantity of contraband involved in this case is a commercial quantity and the entire contraband was recovered from A1 and A2 and no contraband was recovered from this petitioner and based on the confession of the co-accused, the petitioner has been arrayed as accused and though



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the petitioner has one previous case, 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 circumstances, be considered. In the case of hand also the case is posted for trial and so far the trial has not been concluded and there is no scope to conclude the trial within the short time, this Court is inclined to grant bail to the



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petitioner subject to the following 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 II Additional EC and NDPS Judge, Madurai, and on further conditions that:

[b] the petitioner shall report before the trial Court on all working days at 10.30 a.m., and 5.30 pm., 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



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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 Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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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 II Additional EC and NDPS Judge,
Madurai.

2. The Superintendent, Central Prison, Madurai.

3.The Inspector of Police,
Kadamalaikundu Police Station,
Theni.

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



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P. DHANABAL, J. ,

vsg

ORDER
IN
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