



Crl.O.P.(MD)No.10641 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 10641 of 2026

Rajendran

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Gudalur South Police Station,
Theni District.
(Crime No.138 of 2019)

...Respondent/Complainant

For Petitioner : Mr.M.Pitchai Muthu
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 138 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 01.09.2025, for the offences punishable under Sections 8(C) r/w 20(b)(ii)(B) and 29(1) of NDPS Act, in C.C.No.1073 of 2023 on the file of the

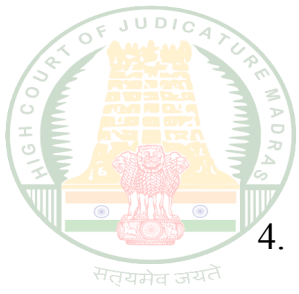


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District and Sessions Judge for Communal Clash Cases Court, Madurai, in
Crime No.138 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on originally the FIR was registered in the year 2019. After completion of investigation, charge sheet has been filed and the trial was commenced in C.C.No.1073 of 2023 on the file of the District and Sessions Judge, Communal Clash Cases Court, Madurai. Pending trial the petitioner was absent. Hence, the learned District and Sessions Judge, Communal Clash Cases Court, Madurai, issued Non Bailable Warrant on 30.05.2025. Thereafter the same was executed and the petitioner was arrested and remanded into judicial custody on 01.09.2025.

3. The learned counsel appearing for the petitioner would submit that the investigation has been completed and charge sheet has been filed and the case is in trial stage in C.C.No.1073 of 2023. Only due to the non appearance of the petitioner NBW was issued against the petitioner. The petitioner is continuously appear before the trial Court on all hearings. Since unfortunately on that day he was arrested in another case, he is unable to appear before the Court. Therefore, prayed to grant bail for the petitioner.



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4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. On the date of occurrence the accused persons are in possession of 1.5 kgs. of Ganja each. The trial is pending before the Communal Clash Court, Madurai. Pending trial the petitioner was absent. Hence, the Non Bailable Warrant was issued by the trial Court and the same was executed by the respondent police on 01.09.2025. Hence, he 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, the quantity involved in this case is commercial quantity, already bail was granted to the petitioner in case, due to the non appearance of the petitioner only the Non Bailable Warrant has been issued by the trial Court and the same was executed, now the case is pending for trial and 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



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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 District and Sessions Judge, Communal Clash Cases Court, Madurai, and on further conditions that:

[b] the petitioner shall report before the learned District and Sessions Judge, Communal Clash Cases Court, Madurai, at 10.30 a.m., on all working days, until further orders:

[c] the petitioner shall not commit 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)
10.06.2026

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To

- 1.The District and Sessions Judge, Communal Clash Cases Court, Madurai.
- 2.The Inspector of Police,
Gudalur South Police Station,
Theni District. (Crime No.138 of 2019)
- 3.The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

TM

ORDER
IN
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