



CrI.O.P.(MD)No.10779 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 10779 of 2026

1.Sivaji Ganesan @ Sivaji

2.Viknesh @ Eli

...Petitioners

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thiruppapuliur Police Station,
Cuddalore District.
(Crime No.129 of 2025)

...Respondent/Complainant

For Petitioners : Mr.R.L.Dilipan Pandian
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. 129 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial custody on 28.03.2025, for the offences punishable under Sections 8(c) and 20(b)(ii)(C) of NDPS Act, in Crime No.129 of 2025 on the file of the



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respondent police, seek bail.

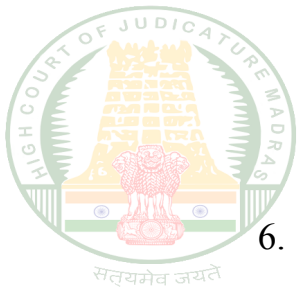
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2. The case of the prosecution is that on 28.03.2025 when the respondent police on vehicle check up, they found that the petitioners are in possession of 20.940 kgs. of ganja. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. Co-accused was released on bail. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. The petitioners are A1 and A5. The contraband was recovered from A1. On his confession A5 was implicated in this case. The A5 has three previous cases. Investigation has been completed and charge sheet has also been filed before the concerned Court. Hence, he opposed the grant of bail to the petitioners.

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



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6. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioners, even according to the prosecution, though the quantity involved is commercial quantity, the entire contraband was recovered from A1 who is the first petitioner and no contraband was recovered from A5 who is the second petitioner and A5 has no previous case for the similar kind of offence and though he has some previous cases, in all those cases he was granted bail, co-accused also released on bail and considering the period of incarceration undergone by the second petitioner, this Court is inclined to grant bail to the second petitioner only subject to the following conditions:

[a] Accordingly, the second 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 Essential Commodities Act, Thanjavur**, and on further conditions that:

[b] the second petitioner shall report before the learned **Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur**, at 10.30 a.m., and 05.00 p.m., on all working days until further orders;



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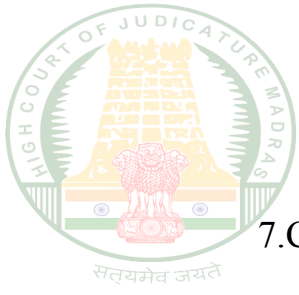
[c] the second petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

[d] the second petitioner shall not abscond either during investigation or trial;

[e] the second 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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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7.Considering the gravity of offence, this Court is declined to grant bail to the first petitioner. Accordingly, this petition stands dismissed in respect of first petitioner.

(P D B J)
23.06.2026

TM

To

- 1.The Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.
- 2.The Inspector of Police,
Thiruppapuliyur Police Station,
Cuddalore District. (Crime No.129 of 2025)
- 3.The Superintendent, District Jail, Thanjavur.
- 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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