



CRL OP(MD). No.11468 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Nagarajan

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(In Crime No. 263 of 2026)..

... Respondent/Complainant

For Petitioner : Mr.Jagadeeshwaran R,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 263 of 2026 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 15.05.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS, Act, 1985 in Crime No. 263 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 15.05.2026, at about 06.30 a.m., on receipt of secret message, the respondent went to Mariyamman Colony and found that the accused persons were carrying a white sack and on search they found that they were in illegal possession of 2.200 kgs 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 he has been arrested and remanded to judicial custody on 15.05.2026 and the co-accused has already been enlarged on bail. 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 accused persons found in illegal possession of 2.200 kgs of ganja, due to which the case has been registered. He would further submit that the petitioner has previous cases and the investigation in this case is pending and the offences are grave in nature. Hence, he strongly 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, nature of offence, and quantity of contraband involved in this case is not a commercial quantity and considering the fact that though the petitioner has previous cases, they are not similar in nature and he was also granted bail in those cases and also considering the fact that the co-accused has already been enlarged on bail as well as the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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*[a] Accordingly, this Criminal Original Petition is allowed and 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 Judicial Magistrate No.II, Sivakasi**, and on further conditions that:*

*[b] the petitioner shall report before the **respondent police** daily at 10.30 a.m., 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[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.

(P D B J)
18.06.2026

PNM

TO

1. The Judicial Magistrate No.II, Sivakasi.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
3. The Superintendent, District Jail, Virudhunagar.
4. The Inspector of Police, Sivakasi East Police Station,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL,J

PNM

ORDER
IN
CRL OP(MD) No.11468 of 2026

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