

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.11673 of 2026

Priyatharshan @ Siva

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
Cr.No.146/2026..

... Respondent/Complainant

For Petitioner : Mr.J.Yogeswaran,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.146 of 2026 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 26.05.2026 for the offences punishable under Section 8(c) r/w 20(b)(ii)(A) NDPS Act and Section 77 of Juvenile Justice Act in Crime No. 146 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 26.05.2026 at about 10.00 hours, based on the secret information, when the respondent police were in patrol duty at Virudhunagar West Area back side of Government School, they found that the accused were in illegal possession of 200 grams 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 26.05.2026 and the co-accused also enlarged on bail. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate appearing for the respondent would submit that the petitioner was in illegal possession of 200 grams of ganja, due to which, the case has been registered against the accused. He would further submit that the petitioner has 12 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, he was granted bail in the cases registered against him and the co-accused also enlarged on bail as well as 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, 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.I, Virudhunagar**, 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;

[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)
15.06.2026

PNM

TO

1. The Judicial Magistrate No.I, Virudhunagar.
2. The Superintendent, District Jail, Virudhunagar
3. The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.Cr.No. 146/2026..
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

P. DHANABAL,J

PNM

ORDER
IN
CRL OP(MD) No.11673 of 2026

Date : 19/06/2026