

CRL OP(MD). No.11770 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.11770 of 2026

Akhil Santhosh,
S/o.Santhosh,
Pointharaparambil House,
Pointhara Colony,
Market Road,
Tripunithura,
Ernakulam District,
Keralam-682 301..

... Petitioner/Accused No.5

Vs

The State of Tamilnadu Rep BY,
The Inspector of Police,
NIB-CID Wing,
Kanniyakumari.
(Crime No.4 of 2024) .

... Respondent/Complainant

For Petitioner : Mr.Balamurali.K.P,
Advocate.

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



CRL OP(MD). No.11770 of 2026

PETITION FOR BAIL Under Sec.483 of BNSS

WEB COPY PRAYER :-

C-32B. For Bail in Crime No.04 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A5, who was arrested and remanded to judicial custody on 21.01.2024 for the offences punishable under Sections 8(C), 20(b)(ii)(C) of NDPS Act, 1985, in Crime No.4 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.10.2023 at about 03.30 a.m., based on the secret information regarding the transportation of Ganja, the respondent Police conducted vehicle check up, at that time, the petitioner and other accused persons were in illegal possession of 105 kgs of Ganja. Hence, the case.



CRL OP(MD). No.11770 of 2026

3. The learned counsel for the petitioner would submit that the respondent police have registered a false case against the petitioner for the offences punishable under Sections 8(C), 20(b)(ii)(C) of NDPS Act, 1985. The petitioner is an innocent and he is nothing to do with the alleged offences. He would further contend that the petitioner is in judicial custody from 21.01.2024. Therefore, he prayed to grant bail to the petitioner.

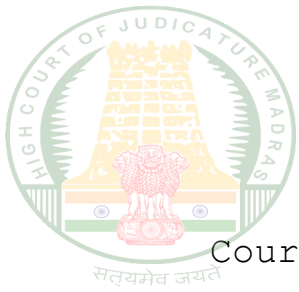
4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the investigation has been completed and the charge sheet has also been filed. He would further submit that the accused was found in illegal possession of 105 kgs of Ganja. He would further submit that the petitioner has five previous cases. However, he strongly opposed to grant bail to the petitioner.



CRL OP(MD), No.11770 of 2026

WEB COPY 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 nature of the offence, though the prosecution has stated that the quantity involved in this case is a commercial quantity, entire contraband was recovered from A1, no contraband was recovered from this petitioner and the petitioner was arrayed as accused based on the confession of the co-accused and the investigation has already been completed and final report has been filed and though the prosecution stated that the petitioner has five previous cases, all the cases are not similar kind of offences and one case pertains to commercial quantity and in that case also, he was arrayed as accused based on the confession of the co-accused and that case was stayed by the High



CRL OP(MD), No.11770 of 2026

Court of Kerala and the co-accused were released on bail and the period of incarceration undergone by the petitioner from 21.01.2024, 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 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 Sessions Judge, Special Court for EC and NDPS Act Cases, Madurai, Tamil Nadu, and on further conditions that:

[b] the petitioner shall report before the learned Sessions Judge, Special Court for EC and NDPS Act Cases, Madurai, Tamil Nadu, on all working days at 10.30 a.m., and 05.00 p.m., until further orders.



CRL OP(MD). No.11770 of 2026

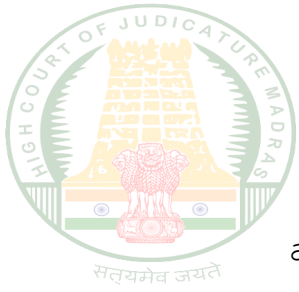
WEB COPY

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



CRL OP(MD). No.11770 of 2026

WEB COPY

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)
25.06.2026

VSG



CRL OP(MD). No.11770 of 2026

WEB COPY TO

- 1.The learned Sessions Judge, Special Court for EC and NDPS Act Cases, Madurai, Tamil Nadu.
2. The Officer-in-CHarge, Sub Jail, Mattancherry, Ernakulam.
- 3.The Inspector of Police,
NIB-CID Wing,
Kanniyakumari.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.11770 of 2026

P. DHANABAL, J.,

vsg

ORDER
IN
CRL OP (MD) No.11770 of 2026

Date : 25/06/2026