



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 13378 of 2025

Vishnu

...Petitioner/Accused No.3

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Eruvadi Police Station
Tirunelveli District.
(Crime No. 82 of 2025)

...Respondent/Complainant

For Petitioner : Mr.S.G.L.Rishwanth
Advocate.

For Respondent : Mr.B.Nambi Selvan
Additional Government Pleader

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 82 of 2025 on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioner / A3, who was arrested and remanded to judicial custody on 13.03.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25, 29(1) and 27A of NDPS, Act, 1985, and 249 of BNS in Crime No. 82 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused were found in illegal possession of 114 kg 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 the petitioner's name was not found in the FIR. Only based on the confession of the co-accused, he was implicated in this case and the co-accused were already released on bail by this Court in CrI.OP(MD)Nos.8671 & 9091 of 2025 dated 06.10.2025 and he has been arrested and remanded to judicial custody on 13.03.2025. Therefore, prayed to grant bail for the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner has 1 previous case, which is similar in nature. Hence, he strongly opposed to grant bail to the petitioner. However, he fairly conceded that the petitioner is residing at Kerala and in the above case, which was involved in the intermediate quantity, he was released on bail by the Kerala High Court and the co-accused were already granted bail by this Court in CrI.OP(MD)Nos. 8671 & 9091 of 2025 dated 06.10.2025.

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, and though the quantity of contraband involved in this case is commercial quantity, the petitioner's name was not found in the FIR and only based on the confession of the co-accused, the name of the petitioner has been implicated in this case, and originally, the accused No.2 has been left out and the co-accused (A6 & A7) were already released on bail by this Court and already



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investigation has also been completed, and also 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 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 Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the trial Court daily at 10.30 a.m., and 05.00 p.m until further orders;

[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



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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)
30.03.2026

dss



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P. DHANABAL, J

dss

To

1.The Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai,

2.The Inspector of Police,
Eruvadi Police Station
Tirunelveli District.

3. The Superintendent,
Central Prison, Palayankottai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No. 13378 of 2025

Date : 30.03.2026