



CRL OP(MD). No.15164 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.15164 of 2025

Palpandi

... Petitioner/ Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Elumalai Police Station,
Madurai District.
(Crime No. 91/2025).

... Respondent/ Complainant

PRAYER :-

For Bail in Crime No. 91 of 2025 on the file of the respondent Police.

For Petitioner : M.Karuppasamypandian,
Advocate.

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

The petitioner / A2, who was arrested and remanded to judicial



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custody on 23.05.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, in Crime No.91 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.05.2025, at about 11.00 pm, on secret information, the respondent police went to the place of occurrence, near Jothilnayakkanur Vilakku Bus Stop, Peraiyur Taluk, Madurai District, and noticed that two persons were walking on the road, and among them, one person headed a white-coloured sack. On searching, they found illegal possession of 22 kgs of ganja from A1. They recovered the property and arrested the accused and registered a case against the accused for the aforesaid offences. Hence, this petition.

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 no recovery was made from the petitioner and only based on the confession of the co-accused, the petitioner was implicated in this case and he has no previous case and he has been



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arrested and remanded to judicial custody on 23.05.2025. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner on the ground that though the quantity involved in this case is not a commercial quantity and he has been implicated in this case based on the confession of the co-accused, the petitioner was present in the scene of occurrence at the time of occurrence. However, he fairly conceded that no previous case is pending against 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 no contraband was recovered from this petitioner and even according to the prosecution case, entire contraband was recovered from the other accused and no previous case is pending against the petitioner and also considering the period of



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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 Special Court for EC & NDPS Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the trial Court on all working day 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 such facts to the Court or to any police officer or tamper with



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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.

08.04.2026

dss



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TO
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- 1.The Special Court for EC & NDPS Act Cases, Madurai.
2. The Inspector of Police,
Elumalai Police Station,
Madurai District.
- 3.The Superintendent,
District Jail , Theni District at Kandamanur.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

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