



CRL OP(MD). No.15785 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.15785 of 2025

Sakthikarna

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu Rep. by Its,
The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.

Crime No .738 of 2025.

... Respondent/ Complainant

PRAYER :-

For Bail in Cr.No.738 of 2025 on the file of the Respondent
Police.

For Petitioner : R.Rishwanth,
Advocate.

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

ORDER

The petitioner / A4, who was arrested and remanded to judicial



CRL OP(MD). No.15785 of 2025

custody on 01.08.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in Crime No.738 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 31.07.2025, at about 06.00 hours, on the secret information, the respondent police went to the place of occurrence i.e., near Sivanantha Jeevasamathi under the Dever statue of Rathinapuram at Jaihindpuram, Madurai, and found the co-accused was standing near the vehicle bearing Reg.No.TN-58-BL-2606. On searching, the co-accused (A1 to A3) were found in illegal possession of 23.750 kg of ganja. Based on their confession, the petitioner was arrested on 01.08.2025 and a case was registered against him in Crime No.738 of 2025 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 the contraband recovered from the petitioner is not a commercial quantity and only based on the confession of the



CRL OP(MD). No.15785 of 2025

co-accused, the petitioner was implicated in this case and though the petitioner is having 1 previous case, it is not a commercial quantity and he has been arrested and remanded to judicial custody on 01.08.2025. 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 the quantity involved in this case is a commercial quantity and the petitioner is having 1 previous case similar in nature. However, he fairly conceded that in the previous case, he was released on bail and it is a small quantity.

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 though the prosecution stated that the quantity involved in this case is a commercial quantity, the said contraband was recovered from A1 to A3 and the petitioner was



CRL OP(MD). No.15785 of 2025

implicated based on the confession statement of the co-accused and even according to the prosecution, from this petitioner 1.750 kg of contraband was recovered and it is not a commercial quantity and the petitioner has 1 previous case and that is not a commercial quantity and immediately after release of bail in the previous case, this case was registered against him 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 District Judge for EC and NDPS Act Case, 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;



CRL OP(MD). No.15785 of 2025

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[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 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

5/7



CRL OP(MD). No.15785 of 2025

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TO

- 1.The Principal District Judge for EC and NDPS Act Case,
Madurai.
- 2.The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.
- 3.The Superintendent,
Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.15785 of 2025

P. DHANABAL,J

DSS

ORDER
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