



CRL OP(MD). No.17080 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE **MR. JUSTICE P. DHANABAL**

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T.Saiganesh

...Petitioner/Accused No.2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thoothukudi NIB-CID Police Station,
Thoothukudi District.
(Crime No.02 of 2022)

...Respondent/Complainant

For Petitioner : Mr.N.Mani Maran

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- to grant bail for the
petitioner/accused No.2 in C.C.No.707 of 2022 on
the file of the learned I Additional District
Judge for NDPS Act Cases, Madurai.

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ORDER : The Court made the following order :-

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The petitioner / A2, who was arrested and remanded to judicial custody on 25.08.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act, in Crime No.02 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 13.07.2021, at about 09.00 hours, the respondent received a secret information and conducted vehicle check up near M.S.Petrol Bunk, Arumuganeri, Adaikalapuram, and identified two cars bearing Registration No.KL-11 BL-6749 Volkswagen Car and KA-03 F-0861 Toyoto Etios car. The respondent Police intercepted the vehicles and conducted search. During search, the petitioner and other accused were found in illegal possession of 110 kgs of Ganja. Hence the case.

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WEB COPY 3. It is not in dispute that since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued on 19.07.2024 and the same was executed on 25.08.2025 and he is still in judicial custody.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 25.08.2025. Therefore, he prayed to grant bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner. He would



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further submit that the contraband involved is a commercial quantity. Hence, he strongly opposed to grant bail to the petitioner. However, the petitioner has no previous cases.

6. This Court heard both sides and perused the materials available on record.

7. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact that already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued and the case in C.C.No.707 of 2022 was posted for examination of witnesses 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:



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[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 I Additional District Judge for NDPS Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the learned I Additional District Judge for NDPS Act Cases, Madurai, on all working days Morning at 10.30 a.m., and Evening at 05.00 p.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;



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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].



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[g] If the accused thereafter
absconds, a fresh FIR can be registered
under Section 269 BNS.

(P D B J)

07.04.2026

vsg

To

1.The learned I Additional District Judge for
NDPS Act Cases, Madurai.

2.The Superintendent,
Central Prison, Madurai.

3.The Inspector of Police,
Thoothukudi NIB-CID Police Station,
Thoothukudi District.

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



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P. DHANABAL, J.,

vsg

ORDER
IN
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