



CRL OP(MD). No.18292 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.18292 of 2025

P.Pavan @ Pavankumar

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by Its, the Inspector of Police,
NIB-CID Police Station,
Thoothukudi District.
Crime No.88 of 2017.

... Respondent/ Complainant

PRAYER :-

To grant Bail for the Petitioner/ Accused No.3 in Cr.No.88 of 2017 in C.C.No.174 of 2018 in the Principal Special Court for Trial of NDPS Act Cases, Madurai on the file of the Respondent Police.

For Petitioner : MR.Na.Manimaran for
Mr.Balaji K,



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CRL OP(MD). No.18292 of 2025

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

ORDER

The petitioner / A1, who was arrested and remanded to judicial custody on 28.08.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1) and 25 of NDPS Act, in Crime No.88 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 27.12.2017, at about 14.13 hours, the respondent received a secret information and conducted vehicle check up at Thoothukudi to Tiruchendur near Tiruchendur Round Ana Junction, and identified a car bearing Registration No.AP-31 AM-7718. The respondent Police intercepted the vehicle and conducted search. During search, the other accused were found in illegal possession of 110 kgs of Ganja. Based on their confession, the petitioner was arrested and remanded to judicial custody. Hence this petition.

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



CRL OP(MD). No.18292 of 2025

25.03.2025 and the same was executed on 28.08.2025 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 28.08.2025. 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 further submit that the contraband involved is a commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.

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

7. Considering the rival submissions made by the learned counsel



CRL OP(MD). No.18292 of 2025

on either side, nature of offence, and though the prosecution stated that the quantity involved in this case is a commercial quantity, no contraband was recovered from the petitioner and the petitioner's name was not found in the FIR and he has been implicated in this case based on the confession made by the co-accused 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 learned Principal Special Court for Trial of NDPS Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the Principal Special Court for Trial of 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



CRL OP(MD). No.18292 of 2025

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the offence of which he/she is accused, or suspected, or of the commission of which he/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 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.



CRL OP(MD). No.18292 of 2025

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TO

1. The Principal Special Court for Trial of NDPS Act Cases,
Madurai.
2. Inspector of Police,
NIB-CID Police Station,
Thoothukudi 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.18292 of 2025

P. DHANABAL,J

DSS

ORDER
IN
CRL OP(MD) No.18292 of 2025

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