



CRL OP(MD). No.18983 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Karpagavalli

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu Rep By,
The Inspector of Police,
Cumbum North Police Station,
Theni District.
(Cr.No.140/2025).

... Respondent/Complainant

PRAYER :-

For Bail in Crime No.140 of 2025 on the file of the respondent Police.

For Petitioner : M/s.Jayapal.M,
Advocate.

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

ORDER

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



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custody on 09.06.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) of NDPS, Act, in Crime No.140 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner on 09.06.2025, at about 06.00 a.m, on secret information, the respondent police went to the New Bus Stand, Cumbum to Kamayakavundanpatti Road nearby St.Mary's School backside and they found the petitioner and the other accused were found in illegal possession of 22 kg of ganja. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she 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 only 2 kg and it does not come under the commercial quantity and separate mahazar has been prepared and she has been arrested and remanded to judicial custody on 09.06.2025. Therefore, prayed to grant bail for the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner on the ground that the petitioner and the other accused found in illegal possession of 22 kg of ganja. Even though, recovery is also separately, A1 to A3 are still in custody and A5 is absconding and the petitioner is having one previous case similar in nature.

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 prosecution clubbed all the contraband recovered separately from each of the petitioner and preferred separate mahazar and insofar as the petitioner is concerned, the quantity recovered from her is not a commercial quantity and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject



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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 Special Court for EC/NDPS Court 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., 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 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.

07.04.2026

dss

P. DHANABAL,J

dss

TO

1.The Special Court for EC/NDPS Court Cases,

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Madurai,

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2. The Inspector of Police,
Cumbum North Police Station,
Theni District.
3. The Superintendent,
District Jail, Nilakottai, Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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