

CRL OP(MD). No.21829 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.21829 of 2025

Maheshkumar

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kottampatti Police Station,
Madurai District
(Crime No. 11 of 2025)

...Respondent/Complainant

For Petitioner : Mr.Niranjan S Kumar

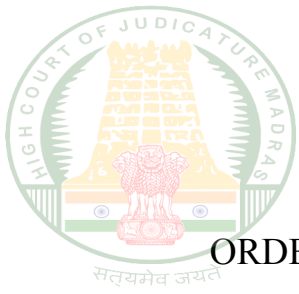
For Respondent : Mr.B.Nambi Selvan

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 11 of 2025 on the file of the respondent police.



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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 17.01.2025 for the offences punishable under Sections 8(c)r/w. 20(b)(ii)(C) and 29(1) of NDPS Act in Crime No.11 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 22.950kgs of ganja. . Hence the case.

3. The learned counsel for the petitioner would submit that the respondent police has registered a false case against the petitioner and he has not committed any offence as alleged by the prosecution. Even according to the case of prosecution they allegedly recovered 4kgs of ganja from this petitioner in a travel bag. However by clubbing some other persons they counted the entire contraband as commercial quantity. So far as this petitioner is concerned he is no way connected with the other accused and contraband was also separately recovered from each accused separately. The petitioner has been arrested and remanded to judicial

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custody on 17.01.2025 and no similar kind of previous cases are pending against the petitioner. Hence, he prays to grant bail to the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that petitioner along with other accused were found in conscious possession of commercial quantity of 22.950kgs of ganja and from this petitioner 4 kgs of ganja was recovered. He would further submit that in this case trial is yet to be commenced. He would further submit that seven previous cases are pending against the petitioner. Hence, he opposed to grant bail to 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 and though the prosecution projected the case as if quantity involved in this case is commercial quantity so far as this petitioner is concerned the prosecution has recovered only 4kgs of ganja and the contraband recovered from other accused on different times on different mahazhar separately it cannot be termed as commercial quantity , thereby

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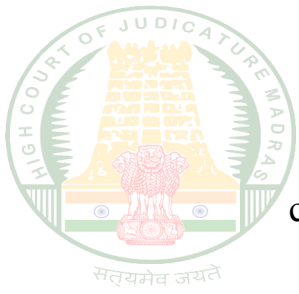
the property recovered from this petitioner is not a commercial quantity and

also considering the fact that A1 was already granted bail from whom 6kgs of contraband was recovered and though the petitioner has seven previous cases all the cases are under IPC offence and no case is pending for similar kind of offences also considering the period of incarceration undergone by the petitioner, and also taking note of the fact that trial is yet to be commenced in this case, 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 II Additional District Judge for NDPS Act Cases, Madurai and on further conditions that:

[b] the petitioner shall report before the trial Court on all working days at 10.30 a.m., and 5.30 pm., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the



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commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

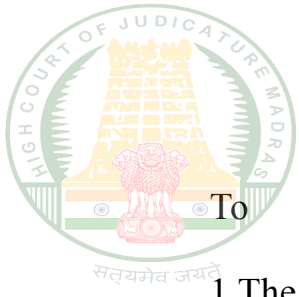
[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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.

(P D B J)
15.04.2026

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To

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- 1.The II Additional District Judge for NDPS Act Cases,Madurai
- 2.The Inspector of Police,
Kottampatti 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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P. DHANABAL, J

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ORDER
IN
CRL OP(MD) No. 21829 of 2025

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