

**IN THE SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT,  
THANJAVUR**

**Present: Tmt. A. Deepa, B.A., M.L.,  
Additional District Judge/Presiding Officer  
Special Court under Essential Commodities Act,  
Thanjavur(FAC)  
(Sessions Judge, Mahalir Neethimandram, Thanjavur)  
Tuesday, the 2<sup>nd</sup> day of June 2026  
Criminal Miscellaneous Petition No.3301/2026  
in  
CC.40/2026  
(CNR.No.TNTJ010044642026)**

Munusamy  
S/o.Harikrishnan

... Petitioner/A15

.vs.

tate of Tamil Nadu,  
by Inspector of Police,  
Cuddalore NT Police Station,  
(Cr.No.442/2025)

... Respondent/Complainant

This petition came for final hearing before this court in the presence of Thiru.T.S.Karthikeyan, Advocate for the Petitioner/A15 and Thiru.N.Ranjith, Special Public Prosecutor for the Respondent/Complainant, on perusal of available material records as well upon hearing both and having stood over for consideration till this day, this court delivers the following :

**ORDER**

1. Petition filed u/s.483 of BNSS seeking to release the petitioner on bail.
2. The learned counsel for the petitioner/A15 would submit that the petitioner has been charged for the offences under section 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substance Act 1985. The petitioner is in custody from 24.10.2025 for around 199 days and he is an innocent person. The learned counsel for the petitioner added that a false case was foisted

against him and no property recovered from this petitioner. The petitioner has a permanent address and prayed for bail.

3. On the other hand the Special Public Prosecutor has objected to release the petitioner on bail and pointed out that charge sheet has been filed and taken up as CC.No.40/2026. Further, the petitioner has around fourteen previous cases of which eight cases relate to NDPS, the quantity involved is 22 kgs and if released he would abscond and the trial will not progress and prayed for a dismissal.
4. Considering the facts before this court, though the counsel for the petitioner would contend that after the charge sheet has been filed, the petitioner could not be continued in custody for the reason that he will abscond and further the quantity as alleged is a commercial quantity, added that it was against constitutional mandate restricting the rights of the petitioner, obvious of the fact that the present petitioner is in custody for the alleged offence under NDPS Act, and only if the twine conditions of section 37 of NDPS Act are satisfied, the petitioner is entitled to be released on bail. When the prosecution objects, opposes the bail application unless the court is satisfied that there are reasonable grounds to believe that the petitioner is not guilty of such offence and that he is not likely to commit any offence while on bail, the court can grant bail. In the present case, the petitioner has around 14 previous cases of which eight cases relate to NDPS, this court for these reasons is not inclined to release the petitioner on bail.
5. In the result, this petition is dismissed.

Pronounced by me in the open court, this the 2<sup>nd</sup> day of June 2026.

Additional District Judge/Presiding Officer,  
Special Court under E.C. Act, Thanjavur.(FAC)