



WEB COPY

CRL OP No. 35897 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35897 of 2025

1. Ricky.K
S/o. Antony, B.K. Apartment Ground
Floor, G-2, Senthil Nagar,
Thirumullaivoyal, Chennai-5.

Petitioner(s)

Vs

1. State Rep. by
The Inspector of Police M-1,
Madhavaram Police Station, Chennai
Cr. No.564 of 2025

Respondent(s)

PRAYER

To enlarge the petitioner on bail pending investigation in M-1, Madhavaram PS
Cr. No.564 of 2025 on the file of the respondent police and thus render justice.

For Petitioner : Mr.R.Sebastianraj

For Respondent(s): Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
22.08.2025, for the alleged offence punishable under Sections 8(c) r/w. 22(b),
22(c), 25 and 29(1) of the NDPS Act, 1985 in Crime No.564 of 2025 on the file



of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that on 22.08.2025 at about 09:30 hours, based on a secret information regarding illegal transportation and selling of ganja, the police party went near Arul Nagar Ground, Madhavaram and based on the identification given by the informant, the petitioner and other accused persons were surrounded by the police party; that after identifying them and compliance of Section 50 of the NDPS Act, the petitioner and other accused were searched; that upon search, it is found that the Abhishek, who arrayed as A2 in this case was found in illegal possession of 7 nos. of LSD Stamp - 0.12 Mg and Lingeshwaran, who arrayed as A3 in this case was in possession of 2.70 grams of Methamphetamine; that A1 was found in possession of 11.60 grams of MDMA Estacy Pills tablet - 23 nos. and A4 and A5/petitioner each were found in possession of 2.30 grams of Methamphetamine; that upon further investigation, two other accused/ A6 & A7 were also arrayed as accused in this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner went to Arul Nagar Ground, Madhavaram at about 09:00 a.m. on 22.08.2025, he has been falsely implicated in this case and he is in judicial custody since 22.08.2025. He further submitted that the petitioner was alleged to be in possession of intermediate quantity of contraband and further contended that since the seizure was taken place in a public place, the samples were not



taken in the presence of learned Magistrate and no public witnesses were utilized in this case, hence Section 50 of the NDPS Act has not been complied with. He also relied on the judgment of the Hon'ble Apex Court in *Mohd. Muslim vs. State (NCT of Delhi) [AIR 2023 SC 1648]* and *Yusuf vs. State [AIR 2023 SC 5041]* and the judgment of the High Court of Allahabad in *Jamil Akhtar Miyan vs. Union of India [MANU/UP/0140/2024]* to support his contention; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate appearing for the respondent police reiterated the prosecution case and submitted that the investigation is not yet concluded. Hence, opposed to grant bail to the petitioner.

5. Considering the nature of offence committed by the petitioner, though the quantity seized from him is 2.30 grams of Methamphetamine, considering the total quantity, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

07-01-2026

Mpa
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



CRL OP No. 35897 of 2025



To

1.State Rep. by
The Inspector of Police M-1,
Madhavaram Police Station, Chennai
Cr. No.564 of 2025

2.The Public Prosecutor
High Court of Madras.



WEB COPY

CRL OP No. 35897 of 2025



K.RAJASEKAR J.
mpa

**CRL OP No. 35897 of
2025**

07-01-2026