



Crl.OP(MD).No.6250 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED ON : 30.03.2026

**ORDER PRONOUNCED ON : 07.04.2026
CORAM**

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

**Crl.OP(MD).No.6250 of 2026
and Crl.MP(MD).No.6766 of 2026**

Ruthra Boopathi

....Petitioner

Vs

1.State of Tamil Nadu through
The Inspector of Police
Palani Town Police Station
Palani
Dindigul District
In Crime No.777 of 2025

2.S.Vijaya
Sub Inspector of Police
Palani Town Police Station
Palani, Dindigul District

....Respondents

Prayer:The Criminal Original Petition filed under Section 528 BNSS, 2023, to call for the records pertaining to the impugned charge sheet in PRC.No.1 of 2026 on the file of the Judicial Magistrate Court, Palani, Dindigul District and to quash the same as illegal.



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For Petitioner

: Mr.P.Krishnasamy

For Respondents

:Mr.R.Meenakshi Sundaram

Additional Public Prosecutor for R1

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ORDER

The present petition has been filed by the 5th accused in PRC.No.1 of 2026 on the file of the Judicial Magistrate Court, Palani, Dindigul District seeking to quash the charge sheet wherein the petitioner is charged with the offence under Section 8(c) r/w (20(b)(ii)(A), 29(1) and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2.A perusal of the charge sheet reveals that the petitioner along with others were standing near APA College bus stop in Palani-Dindigul road at about 8.00 a.m on 01.12.2025 with a two-wheeler wherein 70 grams of ganja was available inside the plastic cover which was intended to be sold to the School and College Students on a retail basis.

3.The learned counsel appearing for the petitioner submitted that no specific overtact has been attributed as against the petitioner in the impugned charge sheet and the ingredients of the offences which are mentioned in the charge sheet are not attracted. He had further submitted that the petitioner was not found in conscious possession of any contraband. No contraband was seized from the petitioner. Merely because the petitioner was present at the



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stop, without any recovery, the ingredients of offences are not attracted.

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4.The learned counsel for the petitioner had further submitted that the alleged recovery is only 70 gm which falls within the small quantity under NDPS Notification and therefore, the allegation of the prosecution that it is an organized sale to the students is exaggerated. The learned counsel had further stated that the mandatory procedure under Section 42 of NDPS Act recording information in writing and forwarding the same to the superior officer was not followed and therefore, the entire search and seizure has been vitiated. The provisions of Section 50 of NDPS Act have also not been followed. He further submitted that invoking Section 77 of the Juvenile Justice Act is misconceived as no juvenile victim is identified and no statement has been recorded. Therefore, the allegation is merely speculative. Since the allegations in the charge sheet contains omnibus and vague allegation without describing the role of the petitioner, the same is liable to be quashed.

5.Per contra, the learned Additional Public Prosecutor appearing for the respondent submitted that the ingredients of the offences mentioned in the charge sheet have been made out and the petitioner is part of the gang who are helping to sell the contraband to the school and college students. He further submitted that the petitioner is a student of Engineering College and therefore, through him the attempts are made to sell the contraband to the



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college students. Therefore, considering the seriousness of the offence, this Court may not interfere at the stage of trial.

6.Heard both sides and perused the material records.

7.A perusal of the charge sheet clearly reveals that the petitioner along with others were found in the bus stop in a two-wheeler from where 70 gm of contraband has been recovered. In such circumstances, the contentions raised by the learned counsel for the petitioner are the subject matter of trial and therefore, this Court is not inclined to interfere and quash the charge sheet, especially when the grounds raised by the petitioner are factual in nature.

8.In view of the above said facts, there are no merits in the petition. This Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

07-04-2026

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
msa



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To

1. The Judicial Magistrate
Palani
Dindigul District

1.State of Tamil Nadu through
The Inspector of Police
Palani Town Police Station
Palani, Dindigul District
In Crime No.777 of 2025

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai



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R.VIJAYAKUMAR, J.

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