



CRL OP(MD). No.8723 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.8723 of 2025

H.N.Shreyas

... Petitioner / Accused No.6

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
CBCID – South,
Dindigul District.
(Crime No.1 of 2025)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.1 of 2025 on the file of the respondent police or on his appearance.

For Petitioner : Mr.A.Manimaran,
Advocate

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



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police in Crime No.1 of 2025 for the offences punishable under Sections 8(c), 22(c) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, seeks anticipatory bail.

2. Originally, the case was registered against the accused persons in Crime No.307 of 2023 on the file of the Inspector of Police, Kodaikanal Police Station, Dindigul District for the above said offences and subsequently transferred to the respondent police. The case of the prosecution is that, based on secret information received on 29.10.2023, the police conducted a search in the house of Accused No.1. During the search, Accused Nos.2 and 3 were found to be in possession of 100 grams of magic mushrooms each. Accused Nos.1 and 2 are husband and wife, and Accused Nos.3 and 4 are their daughters. It is alleged that they were selling magic mushrooms to tourists in Kodaikanal and were also shipping the same to other States through courier services. The son-in-law of Accused No.1 has been arrayed as Accused No.5. The petitioner has been arrayed as the Accused No.6. Hence, the case.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner would abide by any condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that this Court, by order dated 14.05.2025, granted interim protection to the petitioner. Thereafter, the Investigating Officer issued summons to the petitioner. The Investigating Officer, after completing the enquiry, found the involvement of the petitioner in the occurrence. In view of the interim protection granted by this Court, the respondent police are unable to secure the petitioner. He further submitted that the investigating officer has collected materials regarding the money transactions and that the call detail records of the petitioner also show his involvement in the offence. Hence, the custodial interrogation of the petitioner is necessary in this case. Therefore, he strongly objected to the grant of anticipatory bail to the petitioner.



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5. This Court heard the learned counsel appearing on either side and perused the materials placed on record.

6. The Investigating Agency has collected materials relating to the involvement of the petitioner, including the money transactions, and the call detail records also indicate that the petitioner is a customer of the main accused. Hence, this Court finds that *prima facie* materials are available against the petitioner. In view of the bar under Section 37 of the NDPS Act, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

03.03.2026

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To

1. The Inspector of Police,
CBCID – South,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
IN
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