



CRL OP(MD). No.8644 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2026

PRESENT

The HONOURABLE **MR. JUSTICE P. DHANABAL**

CRL OP(MD). No.8644 of 2026

S.Hariharan,
S/o.Senthilkumaran,
41/21,Kuttiyapillai Street,
Cumbum,
Uthamapalayam,
Cumbum (M),
Theni District..

... Petitioner/A4

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Cumbum South Police Station,
Theni District,
Crime No.244/2024.

... Respondent/Complainant

For Petitioner : Mr.Vidhya Sagar
for Mr.Prathap,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)



CRL OP(MD). No.8644 of 2026

PETITION FOR BAIL Under Sec.483 of BNSS

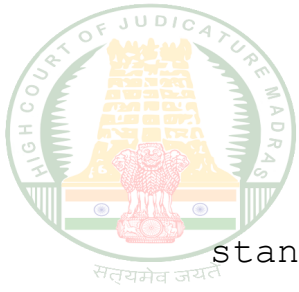
WEB COPY PRAYER :-

C-32B.To enlarge the petitioner on bail in CC.No.219/2025 in connection with FIR No.244/2024 pending before the I Additional Special Court for NDPS, Madurai.

ORDER : The Court made the following order :-

The petitioner /A4, who was arrested and remanded to judicial custody on 13.11.2024 for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of NDPS Act, 1985, in Crime No.244 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 13.11.2024 at about 16.30 hours, the defacto complainant/police official received the secret information regarding the transportation of Ganja in Hero Honda Splendor bike bearing Registration Nos.TN 57 AU 8310 and TN 39 AX 3314 near bus



CRL OP(MD). No.8644 of 2026

WEB COPY

stand, at Cumbum to cuddalore road. Thereafter, the respondent Police arrived at the alleged occurrence and found that the petitioner and other accused person were in illegal possession of 21 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police have registered a false case against the petitioner for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act, 1985. The petitioner is an innocent and he is nothing to do with the alleged offences. He would further contend that the contraband was recovered from the petitioner is not a commercial quantity and he is in judicial custody from 13.11.2024. Therefore he prayed to grant bail to the petitioner.



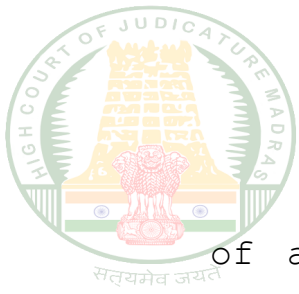
CRL OP(MD). No.8644 of 2026

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the investigation has been completed and the charge sheet has also been filed and the same was taken on file in C.C.No.219 of 2025 by the I Additional Special Court for NDPS, Madurai, and now the case is pending trial. He would further submit that the accused was found in illegal possession of 21 kgs of Ganja. He would further submit that the petitioner has no previous cases. However, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

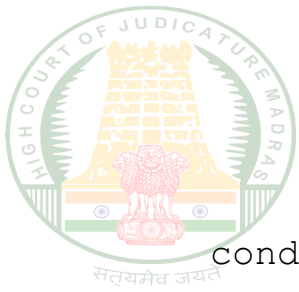
6. Considering the rival submissions made by the learned counsel on either side and the nature of the offence, though the prosecution has stated that all the accused were in conscious possession



CRL OP(MD). No.8644 of 2026

WEB COPY

of a commercial quantity, it is noted that two separate vehicles were involved in this case and different persons travelled in each vehicle and the alleged contraband was recovered from different persons under separate mahazars, however, the prosecution has clubbed all the contraband and treated it as a commercial quantity, and as far as the petitioner is concerned, only 4 kgs of ganja were recovered through a separate Mahazar and therefore, the contraband recovered from the petitioner is not a commercial quantity and also considering the fact that the co-accused has already been granted bail by this Court and now the case in C.C.No.219 of 2025 on the file of the I Additional Special Court for NDPS, Madurai, is pending trial and the petitioner has no previous cases and the period of incarceration undergone by the petitioner from 13.11.2024, this Court is inclined to grant bail to the petitioner, subject to the following



CRL OP(MD). No.8644 of 2026

conditions:

WEB COPY

[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 I Additional Special Court for NDPS, Madurai, and on further conditions that:

[b] the petitioner shall report before the I Additional Special Court for NDPS, Madurai, on all working days at 10.30 a.m., and 05.00 p.m., until further orders.

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



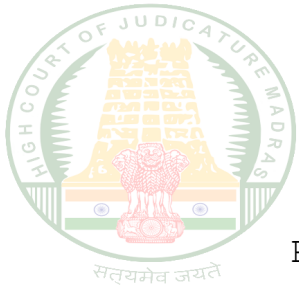
CRL OP(MD). No.8644 of 2026

[d] the petitioner shall not abscond

WEB COPY 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



CRL OP(MD). No.8644 of 2026

P.K.Shaji vs. State of Kerala [(2005)AIR

WEB COPY SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
02.06.2026

VSG

TO

- 1.The I Additional Special Court for NDPS, Madurai.
- 2.The Officer-in-charge, Thekkampatty Prison, Theni.
- 3.The Inspector of Police,
Cumbum South Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD) . No.8644 of 2026

P. DHANABAL, J. ,

vsg

ORDER
IN
CRL OP(MD) No.8644 of 2026

Date : 02/06/2026