



CRL OP(MD). No.11530 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Sree Harikesh Prabhu

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police, SS Colony Police Station,
Madurai District.
Crime No. 197/2026.

... Respondent/Complainant

For Petitioner : Mr.S.Sivaprakash,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 197 of 2026 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 20.05.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS, Act, 1985 in Crime No. 197 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 20.05.2026, at about 12.45 p.m., on receipt of secret message, the respondent police went to Pillaiyar Kovil Street, SS Colony and on suspicion, they conduct search in the while sack bag held by the first accused and found 2.000 kgs of ganga. On enquiry, A1 confessed that he is selling the contraband with the help of A2/petitioner and A3. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that based on the confession of co-accused he has been arrested and remanded to judicial custody on 20.05.2026. Therefore, prayed to grant bail for the petitioner.



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4. The learned Government Advocate appearing for the respondent would submit that the accused persons found in illegal possession of 2 kgs of ganja, due to which the case has been registered. He would further submit that though the petitioner has no previous cases, considering the stage of investigation and the nature of grave offence, 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, nature of offence, and quantity of contraband involved in this case is not a commercial quantity and considering the fact that the petitioner has been arrested in this case, based on the confession of co-accused and he has no previous cases to his credit and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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*[a] Accordingly, this Criminal Original Petition is allowed and 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 **learned Judicial Magistrate No.V, Madurai**, and on further conditions that:*

*[b] the petitioner shall report before the **respondent police daily at 10.30 a.m., until further orders;***

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

[d] the petitioner shall not abscond 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[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 P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

(P D B J)
15.06.2026

PNM

TO

1. The Judicial Magistrate No.V, Madurai
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police, SS Colony Police Station, Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

PNM

ORDER
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