



CRL OP(MD)No.16551 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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V.Sri Harish Kumar

... Petitioner / Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
(Crime No.292 of 2025)

... Respondent / Complainant

For Petitioner : Mr.C.Arul Vadivel @ Sekar
Senior Counsel
for M/s.S.Bharathi

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.292 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 23.04.2025 for the offences punishable under Sections 8(c) r/w 20(b) (ii) (A), 22(b), 22(c), 27(a) of NDPS Act, 1985, in Crime No.292 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.04.2025 at about 05.30 p.m., the respondent police received secret information regarding the sale of narcotic substances. Upon receipt of the said information, the respondent police conducted surveillance near UDC College, Thiruverumbur, where two persons were found standing in a suspicious manner. On noticing the presence of the police, the said persons attempted to flee from the spot. However, they were apprehended and subjected to inspection. Upon inspection, the petitioner was allegedly found in possession of

- i. MDMA weighing about 7.1 grams i.e. 16 tablets in zip-lock cover.
- ii. O.G. Ganja about 2 grams (small zip-lock cover)
- iii. Ganja about 4 grams (small zip-lock cover)



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And also recovered one Apple iPhone and one Redmi mobile phone.

Subsequently, on the same day at about 10.10 p.m., based on the alleged confession of A1 and A2, the respondent police proceeded to the house of Rengasurendiran / A3 and arrested A3. From him, they allegedly seized

- i. Methaqualone 9 grams kept in zip-lock covers
- ii. MDMA tablets weighing about 20.02 grams
- iii. green tablets 5 weighing about 2.08 grams
- iv. Cannabis 10 grams

Hence, the complaint.

3. The learned counsel for the petitioner further submitted that the quantity of contraband allegedly seized from the petitioner is only 7.1 grams of MDMA tablets, which does not fall within the category of “commercial quantity” as per the notification issued by the Central Bureau of Narcotics. As per the said notification, the commercial quantity prescribed for MDMA is 10 grams. In the present case, the respondent is stated to have seized only 7.1 grams of MDMA tablets from the petitioner, along with Ganja 2 grams and OG Ganja 4 grams



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kept in separate zip-lock covers. He further submitted that the contraband was allegedly purchased by the petitioner only for his personal consumption and not for the purpose of sale or distribution.

4. The learned Additional Public Prosecutor vehemently objected to the grant of bail to the petitioner, contending that the contraband seized in the present case falls within the category of commercial quantity and the petitioner has no previous criminal antecedents. But submitted that the petitioner was selling the contraband to the public, due to which, the public spoiling their life. Further submitted the investigation is still pending, hence vehemently opposed for grant of bail to the petitioner.

5. It is seen that the petitioner was in possession of 7.1 grams of MDMA tablets which is not commercial quantity and the commercial quantity is 10 grams. Taking into consideration the facts and circumstances of the case and in view of the specific overt act attributed to the petitioner, which does not involve commercial quantity, and also considering the period of incarceration already undergone by the



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petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 Additional District and Sessions Court / Principal Special Court for E.C. and N.D.P.S. Act Cases, Pudukkottai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before Trial Court at 10.30 a.m. and 05.00 p.m. until further orders. Relaxation will not be considered;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] On breach of any of the aforesaid conditions, the learned 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 is 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].

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

(S S Y J)
26.02.2026
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To

- 1.The Additional District and Sessions Court /
Principal Special Court for E.C. and N.D.P.S. Act Cases,
Pudukkottai.
2. The Superintendent,
Central Prison,
Trichy.
- 3.The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.

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

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S.SRIMATHY,J.

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ORDER
IN
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