



CRL OP(MD). No.18652 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Prabhu@ Prabhu

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Gudalur Police Station,
Theni District
(Crime No. 225 of 2024)

...Respondent/Complainant

For Petitioner : Mr.M.Pitchaimuthu
For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.225 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / A1, who was arrested and remanded to judicial custody on 29.10.2024 for the offences punishable under Sections 8(c) r/w. 20(b)(ii) (C), 29(1), 27A and 25 of NDPS Act in Crime No.225 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.10.2024 at about 03.00 hrs based on secret information received the Special Sub Inspector along with other police officials were on raid at Gudalur PSC theatre behind cumbum to Kumuli Bypass road they saw three persons coming in a vehicle bearing Reg.No.TN 60 X 4338 and they were found in illegal possession of 1.100kgs of Harshish extracts, which is a commercial quantity. Hence the case.

3. The learned counsel for the petitioner would submit that the respondent police has registered a false case against the petitioner and he has not committed any offence as alleged by the prosecution. He would further submit that the respondent police has not followed the mandatory procedures under Sections 42,50,52A and 57 of NDPS Act. The petitioner



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has been arrested and remanded to judicial custody on 29.10.2024. He would

further submit that similarly placed co-accused were granted bail this Court.

Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that petitioner along with other accused were found in illegal possession of 1.100kgs of Harshish extracts, which is a commercial quantity. There are materials available as against the petitioner. Hence, he 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 though the prosecution has stated that the contraband involved in this case is a commercial quantity as per athatchi there is no specific mention about the person from whom seized the property whereas in the seizure mahazhar it is stated that from all the accused commonly the contraband has been recovered and and further similarly placed accused/ A2 who is also said to be person travelled with the petitioner has been

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granted bail by this Court and though two previous cases are pending against the petitioner are not commercial quantity and already bail granted in those cases and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[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 Special Court for Trial of NDPS cases, Madurai and on further conditions that:

[b] the petitioner shall report before the trial Court on all working days at 10.30 a.m., and 5.00 pm., until further orders.

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

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

[e] the petitioner shall not directly or indirectly make any



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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 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)
08.04.2026

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To

- 1.The Special Court for Trial of NDPS cases, Madurai
- 2.The Inspector of Police,
Gudalur Police Station,
Theni District
3. The Superintendent, Central Prison, Madurai

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

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P. DHANABAL, J

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ORDER
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