



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10409 of 2023

Mohamed Hussain

... Petitioner/Accused

Vs

The State Rep.by
The Sub Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
Crime No.320 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Sivachandran P,
Advocate.

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

PRAYER :-

For Bail in Crime No.320 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused, who was arrested and remanded to judicial custody on 30.11.2022 for the offence under sections 8(c), 20(b)(ii) (B) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.320 of 2022 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1.100 Kgs of Ganja and psilocybin (Magic Mushroom).

3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that the petitioner herein is the sole accused, he was in possession of 1.100 Kgs of Ganja and 100 grams of Psychotropic (Magic Mushroom). psilocybin (Magic Mushroom) itself is a commercial quantity.



5. Considering the above facts and circumstances of the case and also the fact that petitioner fails to satisfy the twin test as contemplated under Section 37 of the NDPS Act, the petitioner is not entitled for bail.

6. Hence, this Petition is dismissed.

sd/-

20/06/2023

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. The Sub Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
2. The Officer In-Charge,
District Jail, Dindigul.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.10409 of 2023

Date : 20/06/2023

RD/SKN (03/07/2023) 2P 4C