



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.488 of 2020

Abhinand, ... Petitioner/Sole Accused

Vs

State through
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
(Crime No.350 of 2019).

... Respondent/Complainant

For Petitioner : Mr.R.Alagumani
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

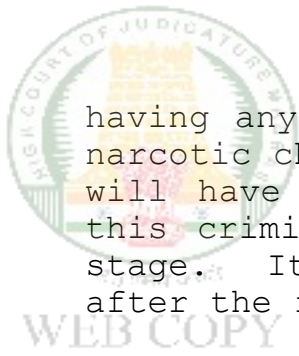
for Bail in Crime No.350 of 2019 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 23.10.2019, for the offences under Section 8(c) r/w. Section 22(c) of Narcotics Drugs and Psychotropic Substance Act, 1985, in Crime No.350 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. It is case of possession of what is known as LSD Stamp. The quantity of contraband is 0.630 milligrams. It is not in dispute that this is a commercial quantity. Therefore, the petitioner has to necessarily satisfy the twin test set out in Section 37 of NDPS Act. The petitioner's counsel states that the petitioner is not



having any previous case. But he would contest the attribution of narcotic character to the contraband in question. If that be so, we will have to necessarily await the analysis report. Therefore, this criminal original petition is dismissed as premature at this stage. It is open to the petitioner to revive his bail petition after the final report is filed.

sd/-
20/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
 2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.ALAGUMANI, Advocate (SR-969[I] dated 20/01/2020)

ORDER
IN
CRL OP(MD) No.488 of 2020
Date :20/01/2020

IAS
AE/VR/SAR-I (23.01.2020) 2P 5C