

In the court of the Principal Special Court for EC & NDPS Act Cases, Madurai.

Present: Thiru V.Padmanabhan, M.A., M.L. D.H.
Additional District Judge/Presiding Officer.

Dated this the 03rd day of July 2020, Friday

Special CrI.M.P.No. 173 of 2020

Bakkiaraj,(39/2020)
S/o.Nachiyappan.

.. Petitioner/Accused

- /Versus/-

State through the Inspector of Police,
Keeraithurai Police Station,
Cr.No.814/2020.

.. Respondent/Complainant

This bail petition is filed through online/email on 10.06.2020 and taken on file before me finally on this day in the presence of Selvi.D.Sumathi, Advocate for the petitioner and Thiru.P.Seetharaman, Special Public Prosecutor for the State and upon perusing the records this court delivered the following:-

ORDER

Heard both sides through conference call.

2) The learned counsel appearing for the petitioner/accused would submit that the petitioner has been in judicial custody from 09.06.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (B), 25 and 29(1) of NDPS Act; that the petitioner did not involve in this incident as alleged on prosecution side; that the Petitioner is innocent person; that if the petitioner is released on bail he will abide the conditions of this court and that he may be released on bail.

3) In the objections filed on prosecution side, it is stated that the petitioner already involved in previous case incidents and that petition may be dismissed.

4) During argument hearing, the learned Counsel for the petitioner further contended that at the time of remand itself the accused was admitted in Government Hospital at Madurai and after treatment he was again detained in District prison, Virudhunagar. Further, for second time also he admitted as in

patient in the Government hospital. At present the petitioner is having breathing trouble and to take treatment, he may be released on bail. During COVID 19 period it is difficult to take treatment in the Government hospital.

5) The said fact was fairly conceded on prosecution.

6) From perusal of records it reveals that the petitioner is in judicial custody for about 25 days and the contraband totally involved in this case incident is 3.300 kgs. During remand period there is a possibility of completion of important portion of the investigation.

7) Considering the above circumstances, remand period, health condition of the petitioner and in view of the recent COVID 19 pandemic situation, taking lenient view and also in the interest of justice this court is inclined to grant bail to the petitioner.

8) Hence, the petitioner is enlarged on bail subject to condition on his executing own bond for Rs.10,000/- before the Superintendent, District Jail, Virudhunagar. Further, he should appear before this court within 15 days from lifting of lock down, along with two sureties and execute a bond for the like sum each to the satisfaction of this Court and further condition to appear and sign before the respondent Police Station at 10.00 A.M. continuously without any deviation one month daily from lifting of lock down period. Thereafter four weeks on every Friday.

In the result this petition is **Allowed**.

(Sd.) V.Padmanabhan,

Additional District Judge/Presiding Officer,
Prl. Spl Court for EC & NDPS Act Cases,
Madurai.

Copy to:

- 1) The Superintendent, District Jail, Virudhunagar.
- 2) The Inspector of Police,
Keeraithurai Police Station.
- 3) The counsel of the petitioner.