

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 28th Day of July 2020, Tuesday

Special Crl.M.P.No. 267 of 2020

Yogaprakash,(23/2020)
S/o.Palanisamy.

.. Petitioner/Accused.

/Versus/

State through the Inspector of Police,
Thoothukudi South Police Station,
Cr.No.527/2020.

.... Respondent/Complainant.

This bail petition is filed through **online**/email on 23.07.2020 when the case is posted on 07.08.2020, hearing advance petition was filed on petitioner side and the same was allowed and hearing was advanced to today coming before me in the presence of Thiru.J.Jeya Aron Raja and Thiru.M.Tamilselvan, Advocates 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 18.07.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (B) of NDPS Act; that the petitioner did not involve in this case incident as alleged on prosecution side; that the petitioner is an 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 objection it is stated that the petitioner already involved in some previous case incidents and that petition may be dismissed.

4) During argument hearing the learned Counsel for the petitioner further contended that the petitioner is now admitted as inpatient in the hospital and taking treatment for Covid - 19.

5) Today a report was received from Superintendent, District Jail, Peroorani, Thoothukudi stating that the petitioner is affected by Covid-19 and now he is taking treatment as inpatient. Further, it is specifically stated that the petitioner is in serious condition and as per prison rules bail has been recommended for him.

6) The said fact was fairly conceded on prosecution side.

7) Considering the above circumstances, remand period 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, Peroorani, Thoothukudi. 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 Tuesday.

In the result this petition is **Allowed. Further, medical treatment to be given to the petitioner.**

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

Copy to:

- 1) The Superintendent, District Jail, Peroorani, Thoothukudi.
- 2) The Inspector of Police,
Thoothukudi South Police Station.
- 3) The counsel of the petitioner.