

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 04th Day of September 2020, Friday
Special CrI.M.P.No. 374 of 2020

...

Sivasamy,(55/2020)
S/o.Samithevar.

.. Petitioner/Accused

/Versus/

State through the Inspector of Police,
NIB CID, Theni.
Cr.No.32/2020.

.. Respondent/Complainant.

This bail petition is filed through **online/email** on 19.08.2020 when the case is posted on 11.09.2020, 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.B.Pandiarajan, 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 12.08.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (B) NDPS Act; that the petitioner did not involve in this 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) No previous case stated against the petitioner on prosecution side.

4) During argument hearing the learned Counsel for the petitioner further contended that the petitioner's wife was hospitalised and she needs care of the petitioner

and that he may be released on bail. The petitioner is also submitted the copy of the records and the same perused.

5) Admittedly, no previous case is stated against the petitioner.

6) From perusal of records it reveals that the petitioner is in judicial custody for about 25 days and the contraband involved in this case incident is 2 kgs. During remand period there is a possibility of completion of important portion of the investigation.

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, Sub Jail, Periyakulam. 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, Sub Jail, periyakulam.
- 2) The Inspector of Police, NIB CID, Theni.
- 3) The counsel for the petitioner.