

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 08th day of September 2020, Tuesday

**Special CrI.M.P.No. 397 of 2020**

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Kalil Ahamad,(30/2020)  
S/o.Abdul Majithkhan.

.. Petitioner/Accused

- /Versus/-

State through the Inspector of Police,  
S.S. Colony Police Station,  
Cr.No.1862/2020.

.. Respondent/Complainant

This bail petition is filed through **online/email** on 31.08.2020 when the case is posted on 16.09.2020, 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.K.M.Vivekananthan, 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 06.08.2020 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) In the objections filed on prosecution side, it is stated that the petitioner already involved in five IPC cases incidents and that petition may be dismissed. Admittedly, no similar nature of offence reported against the petitioner.

4) When the bail application is posted on 16.09.2020, the learned Counsel for the petitioner filed a hearing advance petition by stating that petitioner's mother expired in the evening of 07.09.2020 and the petitioner as a son has to participate last rituals. The said fact was fairly conceded on prosecution.

5) From perusal of records it reveals that the petitioner is in judicial custody for more than a month and the contraband involved in this case incident is 1.350 kgs. During remand period there is a possibility of completion of important portion of the investigation.

6) 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.

7) Hence, the petitioner is enlarged on bail subject to condition on his executing own bond for Rs.10,000/- before the Superintendent, Central Prison, Madurai. 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**.

(Sd.) V.Padmanabhan,  
Additional District Judge / Presiding Officer,  
Prl. Spl Court for EC & NDPS Act Cases,  
Madurai.

**Copy to:**

- 1) The Superintendent, Central Prison, Madurai.
- 2) The Inspector of Police, S.S  
S.S. Colony Police Station.
- 3) The counsel for the petitioner.