

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 Crl.M.P.No. 194 of 2020

1) Sugapriya,(30/2020)
W/o.Arasan.

2) Muthuselvam,(28/2020)
S/o.Ravi.

3) Santhosh,(27/2020)
S/o.Chandran.

4) Swathi,(34/2020)
W/o.Ponpugazhenthii.

5) Eswari,(45/2020)
W/o.Gurudevan.

.. Petitioners/Accused.

/Versus/

State through the Inspector of Police,
Cumbum North Police station.
Cr.No.733/2020.

Respondent/Complainant.

This bail petition is filed through **online**/email on 18.06.2020 and taken on file before me finally on this day in the presence of Thiru.S.Prabha, Advocate for the petitioners 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 petitioners/accused would submit that the petitioner have been in judicial custody from 20.05.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (C), 25 & 29 (1) of NDPS Act and 269 IPC; that the petitioners did not involve in this case

incident as alleged on prosecution side; that the petitioners are innocent person; that if the petitioners are released on bail they will abide the conditions of this court and that they may be released on bail.

3) Per contra, in the objections filed on prosecution side it is stated that on 19.05.2020 at 11.00 A.M., on bye-pass road cumbum, the petitioners came in a pickup vehicle with the possession of ganja and the same was recovered from them; that the contraband totally involved in this case 180 kgs; that two accused persons already absconded; that the investigation is pending and that petition may be dismissed.

4) From perusal of entire case records, at this stage prima facie material is available to show that these petitioners came in a offending vehicle with contraband totally weighing 180 kgs and the same was recovered by the concerned Police Officer in the spot.

5) Further, for granting bail in a case involving commercial quantity under NDPS Act, satisfaction in terms of section 37 of NDPS Act must be recorded. Here, the petitioners did not put forth any reasonable grounds for belief that they are not guilty of offence and they are not likely to commit the offence on bail.

6) Considering the above circumstances, serious objections on prosecution side, stage of the case and in the interest of justice, this court is not inclined to grant bail to the petitioners at this stage.

In the result, this petition is dismissed.

(Sd.) V.Padmanabhan,
Additional District Judge/Presiding Officer,
Pr1. Spl Court for EC & NDPS Act Cases,
Madurai.