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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 13th Day of June 2020, Saturday
Special CrI.M.P.No. 114 of 2020

...

Maharajan (30/2020)
S/o M.G.R... ..

Petitioner/Accused.

/Versus/

State through the Inspector of Police,
Sindhupatti Police Station,
Cr.No.38/2020. ..

Respondent/Complainant.

This interim bail petition is filed through **online/email** account of the Court Manager, Principal District Court, Madurai and taken on file, coming on 13.06.2020 before me in this court, finally on this day in the presence of Thiru S.Manojkumar and Thiru.P.Seetharaman, Special Public Prosecutor and upon perusing the records this court delivered the following:

INTERIM Bail ORDER

- 1) 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 17.02.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (C), 25 & 29(1) of NDPS Act; that the petitioner did not involve in this case incident as alleged on prosecution side: that the petitioner's father died on 12.6.2020 and as a only one son the petitioner has to perform last ritual and the interim bail may be granted.
- 3) No specific and serious objection on prosecution side. No similar nature of offence reported against the petitioner.
- 4) The interim bail has been moved on the sole ground that the father of the Accused died on 12.6.2020 and that his presence is necessary to perform funeral function. In support of this contention he filed a VAO Certificate. This court perused the certificate and found that petitioner's father died on 12.6.2020.
- 5) During the argument hearing it is fairly conceded on prosecution that the petitioner's father expired.

6) As per prosecution, the quantity of the contraband involved in this case incident this commercial in nature:. In normal course the regular bail of accused for the commercial quantity cannot be considered favorably without strong merits in terms of sec.37 of NDPS Act.

7) Here, the petitioner is seeking interim bail only on the ground that his father died on yesterday and he has to perform last rituals . Prosecution has no serious objections

8) Considering above circumstances and in the interest of Justice this court is inclined to grant interim bail for 3 days subject to condition that the petitioner shall execute a own bond for Rs.10,000/- to the satisfaction of the Superintendent , District Jail , Theni, and the petitioner/Accused shall surrender before the Superintendent , District Jail, Theni. On or before 4.00 P.M at 16.6.2020

In the result this petition allowed.

Sd/- V.Padmanabhan.

Additional District Judge/Presiding officer
Principal Special Court for EC and NDPS Act
Madurai

Copy to

1. The Superintendent ,District Jail, Theni.
2. The Inspector of Police, Sindhupatti Police Station, Sindhupatti.
3. The counsel for the petitioner.