

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 17th of September 2020, Thursday

Special *CrI.M.P.No.446 of 2020*

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- 1) Muthuramalingam @ Kundumani,(40/2020)
S/o.Utchimahali Thevar.
- 2) Premkumar,(43/2020)
S/o.Hari.
- 3) Thiruppathi @ Kavathu Thiruppathi,
S/o.Utchimahali Thevar.
- 4) Selvaganesh,(48/2020)
S/o.Chithiravelpandian. .. Petitioners/Accused

- /Versus/-

State the Inspector of Police
Jaihindpuram (L & O) Police Station.
Cr.No.285/2020. .. Respondent /Complainant

This bail petition u/s. 167(2)Cr.P.C. is filed through online/email on 15.09.2020 and taken on file before me finally on this day in the presence of Thiru.R.Vignesh, 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 petitioners have been in judicial custody from 18.03.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (C) NDPS Act; that the petitioners did not involve in this incident as alleged on prosecution side; that the respondent did not complete the investigation till date; that the petitioners are entitled to the benefit under section 167 (2) Cr.P.C.and that the petitioner may be granted bail.

3) In the objections filed on prosecution side it is stated that first accused already involved in some IPC cases incidents and the second accused already involved in one NDPS case incident and five IPC cases incidents and the third accused already involved in six IPC cases incidents and the final report was not yet filed and that petition may be dismissed.

4) During argument hearing, the learned Public Prosecutor it is fairly conceded that charge sheet was not yet filed.

5) From perusal of records it reveals that the petitioners are in custody from 18.03.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (C) NDPS Act;

6) In these circumstances this court comes to the conclusion that the petitioners are entitled to mandatory bail under section 167(2) of Cr.P.C.

7) Hence, the petitioners are enlarged on bail on their executing own bond for Rs.10,000/- before the Superintendent, Central Prison, Madurai. Further, they 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 eight weeks on every Thursday.

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 of Central Prison, Madurai.
- 2) The Inspector of Police,
Jaihindpuram (L & O) Police Station.
- 3) The counsel of the petitioners.