

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 05th Day of September 2020, Saturday.

Special CrI.M.P.No. 368 of 2020

Balamurugan @ Bala@ Katta kal bala, (50/2020)
S/o. Karmegam Petitioner/ Accused

/Vs/

State through the Inspector of Police,
C2 Subramaniyapuram P.S,
Crime No.1195/2020. Respondent/Complainant

This bail petition is filed through online, coming on 10.07.2020 before me in this court , in the presence of Thiru. P. Jagadeesan, Advocate for the petitioner and Thiru. P.Seetharaman, Special Public Prosecutor and upon perusing the records this court delivered the following:

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 29.07.2020 and charged for the alleged offence under section 8 (c) r/w 20 (b) (ii) (B) of NDPS Act; that the petitioner did not involve in this case incident as alleged on prosecution side; that the petitioner is an innocent person; that if that petitioner is released on bail he will abide the conditions of this court and that he may be released on bail.

3) On the other hand, in the objections filed on prosecution it is specially stated that on 28/07/2020 at 14.30 hours, near Panaimaram Muneeswaran Kovil at Muthupatti RMS colony, the petitioner was found in possession of ganja; that after following the procedures ganja weighing 1.400 Kgs was recovered from him; that the petitioner is a habitual offender; that he already involved in three previous case incidents including two murder cases and now detained under Goondas Act and that the application may be dismissed.

4) From perusal of entire case records at this stage prima facie material is available to show that the petitioner was found in possession of the contraband at the time of incident and the same was recovered from him in the spot by the concerned police officer as alleged on prosecution.

5) Considering the above circumstances, serious objections on the prosecution side, previous bad antecedents of the petitioner and in the interest of justice this court is not inclined to grant bail to the petitioner at this stage.

In the result this petition is **dismissed**.

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