



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Thirty First day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22669 of 2018

1 PAULPANDI
2 SIVA @ SIVANKALAI
3 VIJAYAKUMAR
4 SILAMBARASAN

... PETITIONERS/ ACCUSED
No.1, 3,4 and 8

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE
NIB CID, NAGAPATTINAM,
NAGAPATTINAM DISTRICT.
Crime No.60 of 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.J.SANKARAPANDIAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

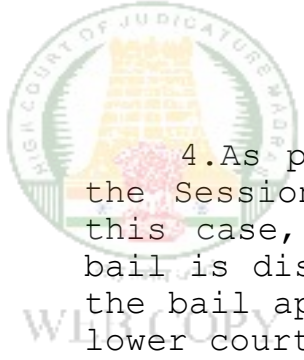
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

This petition is filed to advance the hearing of the case in Crl.O.P(MD).No.22669 of 2018 on the file of this Court in from 05.02.2019 to 30.01.2019.

2. The first petitioner who has been arrested on 19.11.2018 in connection with Cr.No.60 of 2018, for the offences under Sections 8 (c) r/w. 20(b)(ii)(c), 29(i) and 25 of NDPS Act on the file of the concerned respondent Police, is now confined at Central Prison, Trichy.

3. The learned counsel appearing for the petitioners submit that the first petitioner's father viz., Ganapathy is sick and he admitted in the hospital viz., Boopathiyammal, Periyar Road, Usilampatti, Maduri District. He would further submit that the petitioner's father is in very critical stage and counting his days. He further submitted that petitioner is only son and hence, he wants to be besides his father at the last hours and he seeks interim bail to the first petitioner.



4.As per procedure, at first, the first petitioner has to move the Sessions Court and thereafter, he has to move this Court. In this case, considering the urgency, moving of the Lower Court for bail is dispensed with and the first petitioner is permitted to move the bail application before this Court without the order copy of the lower court.

5.The learned Government Advocate (Crl. Side) would submit that considering the urgency, the first petitioner may be granted interim bail with police escort.

6.Considering the urgency, this Court is inclined to grant interim bail to the first petitioner with the following conditions:-

i)The Superintendent of Central Prison, Trichy is directed to release the first petitioner by name Paulpandi S/o.Ganapathy from 03.02.2019 to 04.02.2019 on custodial bail after following the usual procedure and other safeguarding measures in accordance with the Prison Manual, to visit and take care of his father. The first petitioner shall be taken back to the Central Prison, Trichy on 04.02.2019 before 05.00 p.m.

ii)The Superintendent of Central Prison, Trichy shall provide escort with civil dress to the first petitioner from the Central Prison, Trichy from the time they leaves the Central Prison, Trichy and till such time, he is taken back to the Central Prison, Trichy on the said date and time as ordered by this Court.

iii)The Government shall bear the expenditure for providing escort to the first petitioner.

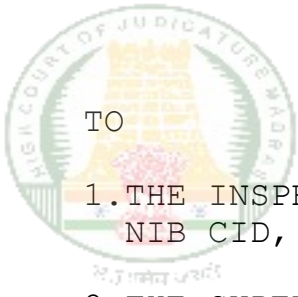
iv)The first petitioner shall be of good behaviour and shall not commit any offence during his leave. The first petitioner is liable to be recalled immediately in case he violates any of the conditions.

(v) Post the case on 06.02.2019 for reporting compliance.

7.This petition is ordered accordingly.

sd/-
31/01/2019

/ TRUE COPY /



TO

1. THE INSPECTOR OF POLICE
NIB CID, NAGAPATTINAM, NAGAPATTINAM DISTRICT.

2. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr. J. SANKARAPANDIAN Advocate SR.No.1999

ORDER

IN

CRL OP (MD) No.22669 of 2018

Date : 31/01/2019

TK/VR/SAR-3/31.01.2019/2P/5C