



WEB COPY

CRL MP No. 12887 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**CRL MP No. 12887 of 2026
in CRL RC NO. 2368 OF 2025**

Abishek

..Petitioner(s)

Vs

The State Rep. By,
The Inspector of Police
NIB-CID, Police Station,
Cr.No.10 of 2025.

..Respondent(s)

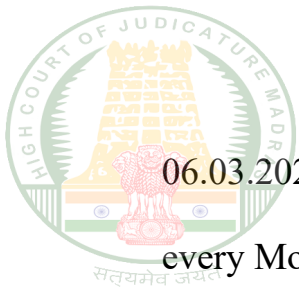
PRAYER – This Criminal Miscellaneous Petition is filed under Section 528 of B.N.S.S., to relax the condition imposed in CrI.MP.No.4313 of 2026 in CrI.RC.No.2368 of 2025 dated 06.03.2026 that the Petitioner is directed to appear before the concerned Magistrate every Monday at 10.30 a.m. until further orders.

For Petitioner(s): Mr.R.Sebastianraj

For Respondent(s): Mr.M.M.I.Khaleel,
Government Advocate (Criminal Side)

ORDER

This Criminal Miscellaneous Petition has been filed seeking relaxation of the condition imposed by this Court in CrI.M.P.No.4313 of 2026, dated



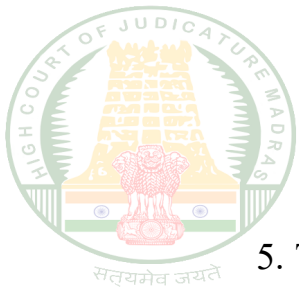
06.03.2026, directing the petitioner to appear before the learned Magistrate every Monday at 10.30 a.m. until further orders.

WEB COPY

2. The learned counsel appearing for the petitioner submitted that the petitioner is a daily wage worker in Kerala and is the sole breadwinner of his family. It is submitted that the petitioner has been regularly complying with the condition imposed by this Court and has been appearing before the learned Magistrate without any default. It is further submitted that the petitioner is willing to appear before the learned Trial Court as and when required and that the continued insistence upon his appearance every Monday is causing serious hardship and affecting his livelihood. Hence, the learned counsel seeks relaxation of the said condition.

3. The learned Additional Public Prosecutor appearing for the respondent opposed the petition and submitted that the condition was imposed taking into consideration the nature and gravity of the offence alleged against the petitioner and the stage of the proceedings.

4. This Court has considered the submissions made on either side and perused the materials available on record.



5. The petitioner is facing prosecution in Crime No.10 of 2025 registered by the NIB-CID Police Station for the offences under Sections 8(c), 22(c) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, involving alleged seizure of 249 grams of methamphetamine, which is a commercial quantity. The petitioner was granted relief by this Court in Crl.R.C.No.2368 of 2025, subject to certain conditions. Subsequently, by order dated 06.03.2026 in Crl.M.P.No.4313 of 2026, the condition relating to appearance was modified and the petitioner was directed to appear before the concerned Magistrate every Monday at 10.30 a.m. until further orders.

6. The petitioner now seeks further relaxation of the said condition, primarily on the ground that he is employed as a daily wage worker in Kerala and that his regular appearance before the learned Magistrate is causing hardship to him and affecting his livelihood. However, the materials placed before this Court do not disclose any substantial change in circumstances warranting further relaxation of the condition imposed by this Court. The condition imposed is intended to secure the presence of the petitioner during the pendency of the proceedings and cannot be said to be onerous, particularly having regard to the nature and gravity of the allegations and the quantity of contraband involved in the case.



SHAMIM AHMED J.

GSA

WEB COPY

7. The mere assertion that the petitioner is a daily wage worker and that the condition causes inconvenience, by itself, cannot be a ground for further relaxation of a condition imposed to ensure the petitioner's availability before the Court. The petitioner has already been granted the benefit of modification of the earlier condition and has been directed to appear only before the concerned Magistrate once a week. In the absence of any compelling or exceptional circumstance, this Court is not inclined to further interfere with the said condition.

8. Accordingly, this Criminal Miscellaneous Petition is dismissed. The condition imposed by this Court in Crl.M.P.No.4313 of 2026, dated 06.03.2026, shall continue to remain in force.

22-07-2026

GSA

To

1.The Inspector of Police
NIB-CID, Police Station.

2.The Public Prosecutor,
Madras High Court.

**CRL MP No. 12887 of 2026
IN CRL RC NO. 2368 OF 2025**