



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM

THE HONOURABLE TMT. JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.21886 OF 2021

1.Basuvaraj

2.Anjalamma @ Kullamma

... Petitioners

Vs.

State

The Inspector of Police,
Veppanapalli Police Station,
Chennai.

(Crime No.147 of 2021)

... Respondent

Prayer:

Criminal Original Petition filed under Section 482 r/w 439 (2) of Cr.P.C. to modify a condition imposed before the Special Judge for EC/NDPS Act Cases, Salem on 21.10.2021 in Crl.MP.No.910 of 2021 in Cr.No.147 of 2021 on the file of the respondent police and instead of blood surety to modify the surety as friends or neighbours.

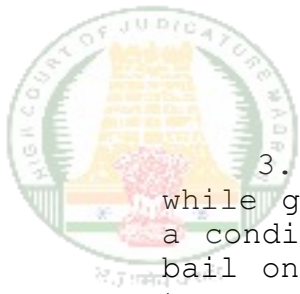
For Petitioners : Mr.S.Senthilvel

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed to modify the condition imposed in Crl.M.P.No.910 of 2021 dated 21.10.2021 on the file of the respondent police, instead of blood surety to modify surety as friends or neighbours.

2. The case of the prosecution is that the petitioners along with other accused persons were unlawfully found to be in possession of 14 kgs of Ganja. Hence, a case was registered in Crime No.147 of 2021 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act.



3. The learned counsel for the petitioners submitted that while granting bail to the petitioners, the trial Court imposed a condition that the petitioners are directed to be released on bail on executing a personal bond for a sum of Rs.10,000/- with two sureties, for the like sum and the sureties should be blood related sureties and also they should produce property documents to prove their identity. He further submits that already the blood relatives are left the petitioners and they are also not willing to furnish the sureties to the petitioners. Hence, he prays to modify the above said condition.

4. Per contra, the learned Government Advocate (Criminal Side) would submit that the petitioners have committed very serious offence and hence the learned Magistrate has rightly imposed the above said condition.

5. Taking into consideration, the facts and circumstances of the case and also the nature of allegation levelled against the petitioners, the condition imposed on the petitioners by the court below was very reasonable and justified. Hence this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

drl

To

1. The Special Judge for EC/NDPS Act Cases, Salem.
2. The Inspector of Police,
Veppanapalli Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.21886 of 2020

GPL (CO)
PM/13/12/2021