



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.M.P.No.14054 of 2021

in

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 of Cr.P.C. to modify a condition imposed blood relative sureties but that they produce property document to that they should produce ration card on the file of the 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.

For Petitioners : Mr.S.Senthilvel

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

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.

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



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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 now the petitioners blood relatives are ready to execute the sureties but unfortunately they could not produce the property document. He further submits that the petitioners are cooli workers and they does not have any property, so they could not able to produce the property document. This is the second modification petition before this Hon'ble Court. 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. Considering the facts and circumstances of the case, reason is justifiable, hence, this Court modifies the condition that the petitioners shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum and the sureties should be blood related sureties and they should produce ration card along with Aadhar card. The other conditions imposed by the Court shall remain intact.

Sd/-

Assistant Registrar(CS III)

//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.

Crl.M.P.No.14054 of 2021
in

Crl.O.P.No.21886 of 2021

KSM(CO)
RGA(11/01/2022)