



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

Date : 18/03/2021

PRESENT

WEB COPY

The Hon'ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.4185 of 2021

1. Rajeshkumar
2. Dinesh Kumar
3. Ramesh
4. Noor Mohammed

... Petitioners/Accused Nos.5to8

Vs

The State rep. by
The Inspector of Police,
Kennikarai Police Station,
Ramnad District
Crime No. 75/2021.

... Respondent/Complainant

PRAYER :- Petition is filed under Section 439(1)(b) r/w Section 482 of the Code of Criminal Procedure praying to modify the condition to appear before the Respondent police daily at 10 A.M for a Period of one month and thereafter once in 15 days until further order in CrI.M.P.No.484/2021 passed by the Special Court for E.C and NDPS cases, Pudukkottai, dated 01.03.2021 to appear before the Judicial Magistrate No.1, Rameswaram.

ORDER : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.P.RAJESH, Advocate for the petitioner and of Mr.M.V.CHANDRASEKARAN, Government Advocate(Criminal side) on behalf of the Respondent, the Court made the following order:-

The present petition has been filed to modify the conditions imposed in CrI.M.P.No.484/2021 dated 01.03.2021 on the file of Special Court for E.C and NDPS cases, Pudukkottai.

2.The petitioners/A5 to A8 were arrested and remanded to judicial custody on 21.01.2021 in Crime No.75 of 2021 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act, and hence, seeking bail, he filed an application in Cr.M.P.No.484 of 2021 before the Special Court for E.C and NDPS cases, Pudukkottai. The Court below has granted bail to the petitioners with conditions that the petitioners shall appear before the respondent Police daily at 10.00 a.m for a period of one month and thereafter once in 15 days until further orders. Thereafter, he has been regularly complying with the conditions. He further submitted that since the petitioners are hailing from Rameshwaram, he was unable to appear before the respondent police,



which is around 60 kms far away and it took time for 2 hours travel. Hence, the present petition has been filed seeking modification.

3. Heard the learned Government Advocate (Criminal side) appearing for the respondent police.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioners are involved case of NDPS act case and the petitioner was directed to appear before the respondent Police to find out the truth and to complete the investigation and also the fact that the contraband seized from the petitioners is a commercial quantity, this Court is not inclined to modify the condition.

5. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
18/03/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDGE,
SPECIAL COURT FOR EC AND NDPS CASES, PUDUKOTTAI.
2. THE JUDICIAL MAGISTRATE NO.I, RAMESWARAM.
3. -DO- THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
4. THE INSPECTOR OF POLICE,
KENNIKARAI POLICE STATION, RAMNAD DISTRICT .
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.4185 of 2021
Date :18/03/2021

VSG
SRS/JC/25.03.2021/2P/6C

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