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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM:

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

CRL.O.P.NO.4409 OF 2022

Ulaganathan

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
M-5, Ennore Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the bail order conditions "That he shall execute a bond for Rs.25,000/- with two acceptable and reliable sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvottiyur, on condition that both sureties must be having immovable property standing in their own name supported with title documents and property tax receipt" imposed by the learned Principal Special Judge (NDPS) at Chennai granted in Crl.M.P.No.444 of 2022, dated 14.02.2022 connection with Cr.No.1012 of 2021 on the file of the respondent police, Chennai.

For Petitioner : Mr.M.Illiyas

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking modification of the condition imposed by the learned Principal Special Judge (NDPS), Chennai, while granting bail for the petitioner in Crl.M.P.No.444 of 2022 in Crime No.1012 of 2021, dated 14.02.2022.

2. The bail condition reads as follows:



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"That he shall execute a bond for Rs.25,000/- with two acceptable and reliable sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvottiyur, on condition that both sureties must be having immovable property standing in their own name supported with title documents and property tax receipt"

3. The learned counsel for the petitioner submits that it is difficult for the petitioner to find two sureties who own immovable property standing in their own name. Therefore, he prays for modification of this particular condition.

4. The learned Additional Public Prosecutor submitted that seven previous cases are pending against the petitioner.

5. It is always not possible to find sureties who own immovable property in their name supported with title documents and other property tax receipts etc. This is an onerous condition and therefore, this condition is modified to the effect that instead of two sureties owning immovable property, the petitioner is directed to produce two blood relatives as sureties and the remaining conditions stand as ordered by the learned Principal Special Judge (NDPS), Chennai. Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Special Judge (NDPS),
Chennai.
 2. The Judicial Magistrate,
Thiruvattiyur.
 3. The Inspector of Police,
M-5, Ennore Police Station,
Chennai.
 4. The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.M.Illiyas, Advocate, S.R.No.14330

CRL.O.P.No.4409 of 2022

SPD (CO)
RLP (04/03/2022)