



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.03.2022

CORAM:

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

CRL.O.P.NO.4945 OF 2022

Lokeshwaran @ Lokesh

... Petitioner/
Accused

Vs.

The State rep.by
The Inspector of Police,
D3 Ice House Police Station,
Chennai.
(Cr.No.611 of 2021)

... Respondent/
Complainant

PRAYER:

Criminal Original Petition has been filed under Section 439 (1)(b) of Cr.P.C. praying to set aside the condition imposed on 17.02.2022 in CrI.MP.No.523 of 2022 in Cr.No.611 of 2021 by the Principal Special Judge EC and NDPS Act at Chennai that the petitioner/accused to execute a bond for Rs.15,000/- with two acceptable and reliable sureties for a like sum, to the satisfaction of the learned II Metropolitan Magistrate, Egmore on condition that both sureties must be having immovable property standing in their own name supported with title documents and property tax receipt and on his release he should appear before the respondent police daily at 10a.m., and 5.00p.m on all days until further orders.

For Petitioner : M/s.T.K.S.Bharathy Shri

For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)



ORDER

This petition has been filed to modify and set aside the conditions imposed on the petitioner in CrI.MP.No.523 of 2022 in Cr.No.611 of 2021 dated 17.02.2022 on the file of the Principal Special Judge EC and NDPS Act, Chennai.

2. The learned counsel for the petitioner submits that the accused who has been granted default bail, unable to comply the bail condition and therefore languishing in the prison despite the bail granted to the petitioner on 17.02.2022 . According to the petitioner he has no immovable property in his name to satisfy the bail conditions, therefore, seeks modification.

3. Taking note of the fact that the petitioner is a coolie and no one comes to him who have immovable property in their name to facilitate the petitioner to enjoy the default bail granted to him, order is modified to the effect that the petitioner shall execute two sureties and cash deposit of Rs.15,000/- each. Except the above modification , all other conditions imposed by the Court below dated 17.02.2022 in CrI.MP.No.523 of 2022 shall stand unaltered.

4. With the above modification, this Criminal Original Petition is allowed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

Vv/gv

To

1. The Principal Special Judge EC and NDPS Act, Chennai.
2. The II Metropolitan Magistrate, Egmore.
3. The Inspector of Police,
D3 Ice House Police Station, Chennai.



4. The Public Prosecutor,
High Court, Madras.

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+1cc to M/s.T.K.S.Bharathy, Advocate, S.R.No.15647

Cr1.OP.No.4945 of 2022

NMI (CO)
PM/16/03/2022