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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P. No. 13961 of 2022

Saimanraj

... Petitioner/Accused No.1

Vs.

The State rep. by
The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu District
(Crime No.80 of 2022)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the condition imposed by this Court in Crl.M.P.No.1030 of 2022 order dated 21.04.2022 that is requires the petitioner with one blood surety to maternal uncle surety.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.V.J.Priyadarsana
Govt.Advocate (Crl.Side)

O R D E R

This petition is filed for modification to modify the condition imposed in Crl.M.P.No.1030 of 2022 dated 21.04.2022, on the file of the learned Principal Special Judge, EC and NDPS Court, Chennai.

2. The petitioner was granted bail in crime No.80 of 2022 registered for the offence under Section 8c, 20(b)(ii)(B), NDPS Act 1985 and under Section 12(2) Passport Act and 14B Foreigners Act in Crl.M.P.No.1030 of 2022 order dated 21.04.2022 with the following conditions:

"The petitioner shall execute a bond of Rs.10,000/- with one blood surety and one solvent Government Surety holding permanent address in Chennai and with immovable properties in Chennai for a like sum



to the satisfaction of the Judicial Magistrate No.II, Chengalpet".

3. The learned Counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 04.02.2022 and he is under judicial custody for more than 74 days. Though he studied in Tamil Nadu, he being citizenship of Srilanka and all his families residing at Srilanka. The petitioner is under the care of his maternal uncle. Hence he is not able to comply with the conditions as imposed by the Court.

4. Considering the facts and circumstances of the case, this Court is inclined to modify the conditions imposed by the Court below. The modified conditions are read as follows;

"The petitioner shall execute a bond of Rs.10,000/- with one solvent Government Surety and one ordinary surety holding permanent address in Chennai and with immovable properties in Chennai for a like sum to the satisfaction of the Judicial Magistrate No.II, Chengalpet".

5. This Criminal Original Petition is ordered accordingly.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

nti/ata

To

1. The Principal Special Judge,
EC and NDPS Court, Chennai.
2. The Judicial Magistrate,
Chengalpet.
3. The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu District.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P. No.13961 of 2022

CA(CO)
UMA(21/06/2022)