



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.26086 of 2022

Pinku Das

... Petitioner

-Vs-

State represented by,
Inspector of Police,
SIPCOT Police Station,
Krishnagiri District,
Cr.No.252 of 2022.

... Respondent

Prayer : Criminal Original Petition is filed under Section 439 (i)(b) of the Criminal Procedure Code, to modify the conditions that "the petitioner/accused should execute a bond for a sum of Rs.20,000/- with two sureties each like sum to the satisfaction of Learned Judicial Magistrate No.I, Salem and the sureties should be close relatives" imposed by the Special Court for EC/NDPS Act, Salem in CMP.No.865/2022 dated 28.09.2022.

For Petitioner	:	Mr.C.Deepak Kumar
For Respondent	:	Mr.R.Vinothraja, GA (CrI.side)

ORDER

The learned counsel for the petitioner would submit that the petitioner was arrested for transporting 2.500kgs of Ganja in two wheeler. The petitioner was arrested on 15.06.2022, since the respondent did not filed the final report within the statutory period, the learned Special Judge, EC/NDPS Act cases,



Salem granted bail to the petitioner under Section 167(2) Cr.PC with a condition to execute two sureties each like sum to the satisfaction of the Judicial Magistrate No.I, Salem and the sureties should be close relatives. He would submit that the petitioner is native of Assam and despite his best efforts, the petitioner was able to arrange only one surety and unable to arrange two sureties, thereby he is languishing in jail, despite the order being granted on 28.09.2022, the petitioner is in prison. Thereby, the learned counsel seeks for modification of condition imposed by the trial Court.

2. Heard the counsel for the petitioner and the learned Government Advocate (Crl.side).

3. This Court is inclined to modify the condition No.(1) as follows :-
The petitioner/accused should execute a bond for a sum of Rs.20,000/- with one surety for a like sum to the satisfaction of Learned Judicial Magistrate No.I, Salem and the said surety should be a close relative.

4. The other conditions imposed by the trial Court on 28.09.2022 in CMP.No.865 of 2022 shall remains unaltered.



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To

1. The Special Court for EC/NDPS Act, Salem.
2. The Inspector of Police, SIPCOT Police Station, Krishnagiri District.
3. The Public Prosecutor, High Court, Madras.

Note : Issue copy on 31.10.2022.



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A.D.JAGADISH CHANDIRA, J.,
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