



CrI.O.P No.28392 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.11.2022**

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

CrI.O.P No.28392 of 2022

Madhavan

... Petitioner

Vs.

State by
Sub-Inspector of Police,
Melpatty Police Station,
Vellore District.
Cr. No.38/2022

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to modify the bail condition imposed to the petitioner on granting bail to the petitioner in C.M.P. No.802 of 2022 dated 05.09.2022 on the file of Court of the Special Judge for EC/NDPS Act cases, Salem.

For Petitioner : Mr.R.Thamarai Selvan

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



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ORDER

This petition is filed to modify conditions imposed in the bail order granted to the petitioner in C.M.P. No.802 of 2022 dated 05.09.2022 on the file of Court of the Special Judge for EC/NDPS Act cases, Salem.

2. On perusal of the records, it is seen that the learned Special Judge for EC/NDPS Act cases, Salem vide order dated 05.09.2022 granted bail to the petitioner on the following conditions:

“i) The petitioner / accused should execute a bond for a sum of Rs.20,000/- with two sureties each like sum to the satisfaction of the learned Judicial Magistrate No.1, Salem, and the sureties should produce necessary documents.

ii) To prove their identity of the sureties they should have file a passport size photos along with their Aadhar Card or Ration Card or Vote ID Card proof.

iii) The petitioner / accused should appear and sign before the respondent police daily at 10.00 am until further orders.

iv) The petitioner shall not abscond either during investigation or trial.

v) The petitioner shall not tamper with evidence or witness either during investigation or trial.

vi) On breach of any of the aforesaid conditions, the learned



Special Public Prosecutor is with liberty to take appropriate action against the petitioner in accordance with law to cancel the bail.”

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3. The learned counsel for the petitioner submitted that the petitioner is unable to comply the condition imposed on him. Instead of complying the said conditions, he can be given with liberty to produce two sureties who are his parents.

4. The sureties are to be produced to the satisfaction of the learned Judicial Magistrate No.1, Salem. The conditions can be effectively modified by the very same Court which granted the bail by properly appreciating the requirement for the case. Hence the petitioner is at liberty to file a condition modification petition before the learned Special Judge for EC/NDPS Act cases, Salem and on the said petition is being filed, the Special Judge for EC/NDPS Act cases, Salem shall pass appropriate orders in accordance with law.

5. In view of the above, this Criminal Original Petition is disposed of.

21.11.2022

Index : Yes/No
Speaking Order : Yes / No
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R.N.MANJULA, J.,

bkn

To:

1. The Special Judge for EC/NDPS Act cases, Salem.
2. The Sub-Inspector of Police,
Melpatty Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

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