



Crl.O.P.No.880 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2023

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

Crl.O.P.No.880 of 2023

Hachan Miah  
...Petitioner

Vs.

State rep. by,  
The Inspector of Police,  
F-4, Thousand lights Police Station,  
Chennai.  
(Crime No.185 of 2022).  
...Respondent

**PRAYER:** Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., pleaded to modify the condition of "one among the surety must be a Government surety" as imposed by the Hon'ble Principal Special court for EC and NDPS Act, Chennai in Crl.M.P.No.4758 of 2022 dated 11.10.2022.

For Petitioner : Mr.M.Murugan

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed to modify one of the



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conditions imposed by the Principal Special Court for EC and NDPS Act in Crl.M.P.No.4758 of 2022 dated 11.10.2022 .

2. Learned counsel for the petitioner submitted that the petitioner was granted bail by the Principal Special Court for EC and NDPS Act, Chennai in Crl.M.P.No.4758 of 2022 dated 11.10.2022. He further submitted that the learned trial Judge, while granting bail to the petitioner, directed the petitioner to execute a bond for Rs.10,000/- with two acceptable and reliable sureties each for a like sum to the satisfaction of the Learned XIV Metropolitan Magistrate, Egmore and one among the sureties must be a Government surety. He also stated that the petitioner is working as a coolie and he is unable to secure a Government surety. Thereby, he seeks for modification of the condition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

4. In view of the above submission, the condition imposed by the learned Principal Principal Special Court for EC and NDPS Act, Chennai in Crl.M.P.No.4758 of 2022 dated 11.10.2022, with regard to the Government surety is modified as follows and the other conditions remains unaltered.



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" that he shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties each for a like sum to the satisfaction of the Learned XIV Metropolitan Magistrate, Egmore. One among the sureties must be a Blood surety"

5. Accordingly, the present Criminal Original Petition is ordered as prayed for.

**12.01.2023**

Internet: Yes/No

Index :Yes/No

skt

To

1. The Principal Special Court under EC & NDPS Act,  
Chennai.
2. The Inspector of Police,  
F-4, Thousand lights Police Station,  
Chennai.
3. The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI, J.**

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