



Crl.O.P.No.10994 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10994 of 2023

1.Sudha

2.Chellammal

... Petitioners

Versus

State rep by its
Inspector of Police,
Virudampet Police Station,
Vellore District.
(Crime No.268 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(B) of Cr.P.C praying to modify the condition imposed on the petitioners “1.The petitioner/accused should execute a bond for a sum of Rs.25,000/- with 2 sureties each like sum to the satisfaction of the learned Judicial Magistrate No.I, Salem and the sureties should be close relatives are necessary and they should produce necessary documents to own Valuable property” in Crl.M.P.No.137 of 2023, order dated 09.02.2023, on the file of Special Judge for EC/NDPS Act Cases, Salem.



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For Petitioners : Mr.W.Camyles Gandhi
For Respondent : Mr. S.Balaji
Government Advocate
(Crl.Side)

ORDER

This Criminal Original Petition has been filed to modify the condition imposed on the petitioners in Crl.M.P.No.137 of 2023, dated 09.02.2023, by the Special Judge for EC/NDPS Act Cases, Salem that the petitioner/accused should execute a bond for a sum of Rs.25,000/- with 2 sureties each like sum to the satisfaction of the learned Judicial Magistrate No.I, Salem and the sureties should be close relatives are necessary and they should produce necessary documents to own a valuable property”.

2. The learned counsel for the petitioners would submit that, the learned Special Judge for EC/NDPS Act Cases, Salem while granting bail to the petitioners, directed the petitioners **to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with 2 sureties each like sum to the satisfaction of the**



learned Judicial Magistrate No.I, Salem, and the sureties should be close relatives are necessary, and they should produce necessary documents to own a valuable property. He would further submit that the petitioners are unable to comply with the said condition since the petitioners have no close relatives to stand as surety and to produce necessary documents as directed by the Court below. Therefore, despite the order being granted on 09.02.2023 itself, the petitioners are unable to come out on jail. Hence, he seeks for modification of the said condition.

3.Taking into consideration the antecedents of the petitioners, the condition imposed by the Court below is modified as follows:

***“the petitioners are ordered to be released on bail on condition to execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with 2 sureties each like sum to the satisfaction of the learned Judicial Magistrate No.I, Salem.*”**

The other condition shall remain intact.



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4. Accordingly, this Criminal Original Petition is ordered.

11.05.2023

Index : Yes/No

Internet: Yes/No

Speaking Order / Non-Speaking Order

jas/arb

Note: Issue Order Copy on 11.05.2023.

To

1. The learned Judicial Magistrate No.I,
Salem.

2. Inspector of Police,
Virudampet Police Station,
Vellore District.

3. The Central Prison for Women,
Salem.

4. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

jas/arb

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