



CrI.O.P.No.11561 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2023

CORAM

THE HON'BLE MR. JUSTICE **A.A.NAKKIRAN**

CrI.O.P.No.11561 of 2023

Raihan Ali

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
PEW Triplicane Unit,
Triplicane,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., pleaded to modify the condition imposed by the Principal Special Court under EC & NDPS Act, Chennai in CrI.M.P.No.2464 of 2023 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 XIV Metropolitan Magistrate, Egmore. One among the sureties must be a Government Surety” to the satisfaction of the learned XIV Metropolitan Magistrate, Egmore.



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For Petitioner : Mr.S.Palanivel
For Respondent : Mr.N.Muthuvel
Government Advocate (Crl.Side)

ORDER

This petition has been filed to modify the condition imposed by the Principal Special Court under EC & NDPS Act, Chennai in Crl.M.P.No.2464 of 2023 vide order dated 05.05.2023 that the petitioner shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties for a like sum to the satisfaction of the XIV Metropolitan Magistrate, Egmore, out of which, one among the sureties must be a Government surety.

2. Learned counsel for the petitioner would submit that the petitioner was arrested and thereafter, he was granted bail by the Principal Special Court under EC & NDPS Act, Chennai in Crl.M.P.No.2464 of 2023 vide order dated 05.05.2023. However, at that time of granting bail, the learned trial Judge had imposed a onerous condition that the petitioner shall execute a bond for a sum of Rs.10,000/- with two acceptable and reliable sureties for a like sum to the satisfaction of the XIV Metropolitan Magistrate, Egmore, out of which, one among the sureties must be a Government surety.



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He would further submit that since the petitioner is not having any Government surety, the petitioner is ready to produce the original title deeds of an immovable property worth about Rs.2 lakhs. He also submitted that despite the bail order being granted on 05.05.2023, the petitioner is unable to come out on bail and still the petitioner is languishing in prison, thereby, he seeks for modification of the condition.

3.The learned Government Advocate (Crl.side) would submit that the petitioner was earlier arrested on 23.03.2023 and granted bail by the trial Court on 05.05.2023.

4.In view of the above, the condition imposed on the petitioner is modified to the effect that **“the petitioner shall deposit the original title deeds of an immovable property not less than the value of Rs.2 lakhs (standing in the name of the petitioner or his relatives) to the credit of Crime No.99 of 2023, without prejudice to his rights and contentions before the trial Court and on such deposit and production of proof, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like**



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sum to the satisfaction of the **learned XIV Metropolitan Magistrate, Egmore.** The other conditions shall remain intact.

5. With the above directions, this Criminal Original Petition stands ordered.

18.05.2023

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To

1. The Principal Special Court under EC & NDPS Act,
Chennai.
2. The XIV Metropolitan Magistrate,
Egmore.
3. The Inspector of Police,
PEW Triplicane Unit, Triplicane,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.A.NAKKIRAN.,J.

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