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CrI.OP.No.15313 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.15313 of 2023

Duriyodhanan Karhar

..Petitioner

Vs.

The State Rep by
The Inspector of Police,
Kelamangalam Police Station,
Cr.No.58 of 2022

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to modify the conditions that “1.The petitioner/Accused should execute a bond for a sum of Rs.50,000/- with 2 sureties each like sum to the satisfaction of the learned Judicial Magistrate No.1, Salem and the Sureties should be close relatives and he should produce necessary documents to own a valuable property...”Imposed by the Special Court for EC/NDPS Act, Salem in C.M.P.No.831 of 2022 dated 16.09.2022.

For Petitioner : Mr.C.Deepak Kumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (CrI.side)



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ORDER

This petition has been filed to modify the condition that “1.The petitioner/Accused should execute a bond for a sum of Rs.50,000/- with 2 sureties each like sum to the satisfaction of the learned Judicial Magistrate No.1, Salem and the Sureties should be close relatives and he should produce necessary documents to own a valuable property...”Imposed by the Special Court for EC/NDPS Act, Salem in C.M.P.No.831 of 2022 dated 16.09.2022.

2.The learned counsel for the petitioner submitted that the petitioner was granted bail in C.M.P.No.831 of 2022 by the learned Additional District Judge, Special Court for EC/NDPS Act, Salem. While granting bail to the petitioner, the learned Additional District Judge, Special Court for EC/NDPS Act, Salem, imposed a condition that “petitioner should execute a bond for Rs.50,000/- with two sureties each like sum to the satisfaction of the learned Judicial Magistrate No.1, Salem”. Petitioner is not able to secure sureties who could give bond for Rs.50,000/-. Thus,he prays for reduction of amount.



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3.In the circumstances stated by the learned counsel for petitioner, first condition in order dated 16.09.2022 in C.M.P.No.831 of 2022 is modified to the effect that “ petitioner should execute the bond with two sureties for Rs.10,000/- each to the satisfaction of learned Judicial Magistrate No.1, Salem”. Other conditions remain the same.

4.Accordingly, this Criminal Original Petition is allowed.

14.07.2023

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To

- 1.The Additional District Judge,
Special Court for EC/NDPS Act, Salem
- 2.The Judicial Magistrate No.1, Salem.
- 3.The Inspector of Police,
Kelamangalam Police Station,
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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