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Crl.O.P.No.16442 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.16442 of 2023

1.Bishal Ekka

2.Ammansanthal

...

Petitioners

Vs.

The State rep. by

The Inspector of Police,

C-1, Sriperumbudur Police Station.

...

Respondent

PRAYER: Criminal Original Petition filed under Section 439 (1) (b) Cr.P.C. praying to modify the condition imposed by the Principal Special Court EC & NDPS Act, Chennai, dated 13.06.2023, in Crl.M.P.No.3390 of 2023, that the petitioner 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 Judicial Magistrate, Sriperumbudur. One among sureties shall be a Government Surety” to the satisfaction before the learned Judicial Magistrate Sriperumbudur and that he shall execute the other surety in the above proceeding before the learned Judicial Magistrate, Sriperumbudur.

For Petitioners : Mr.S.Palanivel

For Respondent : Mr.S.Rajakumar

Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to modify the condition imposed by the Principal Special Court EC & NDPS Act, Chennai, dated 13.06.2023, in Crl.M.P.No.3390 of 2023, that the petitioners shall execute a bond for



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Rs.10,000/- with two acceptable and reliable sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sriperumbudur. One among sureties shall be a Government Surety” to the satisfaction before the learned Judicial Magistrate Sriperumbudur and that he shall execute the other surety in the above proceeding before the learned Judicial Magistrate, Sriperumbudur.

2.It is the submission of the learned counsel for the petitioners that petitioners were granted bail by the Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai, on 13.06.2023, in Crl.M.P.No.3390 of 2023, in Crime No.420 of 2023 with the following condition.

That they shall each execute a bond for Rs.10,000/- with two acceptable and reliable sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sriperumbudur. One among the sureties of the each petitioner must be a Government Surety. That they shall appear and sign before the respondent police at 10.00 A.M. every day until further orders.

The learned counsel for the petitioners further submitted that the



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petitioners are not able to get a Government surety, who is willing to stand as a surety.

3.In the said circumstances, the condition that one among the sureties of the each petitioner must be a Government Surety is modified to the effect that both sureties should be acceptable and reliable sureties, preferably, blood relatives of the petitioner.

4.Accordingly, this Criminal Original Petition is ordered.

29.08.2023

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

Note: Registry is directed to issue order copy on 30.08.2023.

To:

1.The Judicial Magistrate Court, Sriperumbudur.

2. The Inspector of Police,
C-1, Sriperumbudur Police Station.

3.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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