



Crl.O.P.No.16524 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

CRL.O.P. No.16524 of 2023

Korubelli Somalingam

.. Petitioner

Vs.

State Rep. by

The Inspector of Police,

Prohibition Enforcement Wing,

St.Thomas Mount Unit.

... Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the condition imposed by the Principal Special Court under EC & NDPS Act Chennai) in Crl.M.P.No.3096 of 2023 the condition “that he shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties for a like sum. One among sureties shall be a Government servant to the satisfaction of the Learned II Judicial Magistrate, Alandur.

For Petitioner : Mr.S.Palanivel

For Respondent: Mr.Leonard Arul Joseph Selvam

Government Advocate (Crl.side)

ORDER

This petition has been filed for modification of the condition imposed by the Principal Special Court under EC & NDPS Act Chennai, in



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Crl.M.P.No.3069 of 2023 dated 15.06.2023, to execute a bond for Rs.10,000/- with two acceptable and reliable sureties for a like sum. One among sureties shall be a Government servant to the satisfaction of the Learned II Judicial Magistrate, Alandur.

2. Learned counsel for the petitioner submitted that petitioner was granted bail in Crl.M.P.No.3096 of 2023 by the Principal Special Court under EC & NDPS Act Chennai. While granting bail, one of the conditions imposed was that “petitioner shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties for a like sum. One among sureties shall be a Government servant to the satisfaction of the learned II Judicial Magistrate Alandur”. Petitioner finds it difficult to secure a Government Servant to stand as a surety for the petitioner and therefore, this petition.

3. In the circumstances stated by the learned counsel for the petitioner, that petitioner is not able to get Government servant as surety, this Court is inclined to modify the above said condition.

4. Accordingly, the condition imposed on the petitioner in Crl.M.P.No.3096 of 2023 dated 15.06.2023, i.e., that “he shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties like sum. One among



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sureties shall be a Government servant, to the satisfaction of the Learned II Judicial Magistrate, Alandur”, is hereby modified as follows:-

“that he shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties like sum, preferably in close relatives. One among the sureties shall be from petitioner's native place, to the satisfaction of the Learned II Judicial Magistrate, Alandur.”

Other conditions shall remain intact.

5. Accordingly, this Criminal Original Petition is ordered.

03.08.2023

Index : Yes/No

Internet : Yes

Speaking/non speaking order
mpl

Note: Issue order copy by today (03.08.2023)

To

1. The Principal Special Court under EC & NDPS Act,
Chennai.
2. The Inspector of Police,
Prohibition Enforcement Wing,
St.Thomas Mount Unit.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



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G.CHANDRASEKHARAN, J.

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