



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.OP.No.26638 of 2023

Nresh Kumar

...Petitioner

Vs.

The State by
The Inspector of Police,
Aminjikarai Police Station
Chennai – 31.

(Crime No.157 of 2023)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439(1)(b) of Cr.P.C. praying to modify the condition that the petitioner shall furnish two sureties of petitioner's friends **instead** of one surety must be blood relation passed in Crl.MP.No.7406 of 2023 dated 27.10.2023 by the Special Judge-I, Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

For Petitioner : Mrs.R.Saritha

For Respondent : Ms.J.R.Archana
for Mr.R.Muniyappa Raj
Additional Public Prosecutor



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ORDER

The petitioner seeks modification of Clause (a) in paragraph 6 wherein, it had been stipulated by the learned Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, while granting bail in CrI.MP.No.7406 of 2023, by an order dated 27.10.2023 in C.C.No.767 of 2023 that one of the two sureties should be a blood surety.

2.The learned counsel states that the petitioner is the only son and both the parents are not willing to come forward to extend surety. The said condition is modified that one further acceptable and reliable surety should be produced. The onus is on the Court to test acceptability and reliability of the surety produced.

2.This criminal original petition is allowed to that extent.

24.11.2023

KP

Note: Issue order copy on **24.11.2023**



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To

- 1.The Inspector of Police,
Aminjikarai Police Station
Chennai – 31.
2. Special Judge-I,
Additional Special Court for Exclusive
Trial of Cases under NDPS Act, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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