



Crl.O.P.No.678 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl. O.P.No.678 of 2024

Ramesh @ Rangaraj,
S/o.Govindharaj

.. Petitioner

Vs.

The State represented by its,
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai District.
(Crime No.161 of 2023)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to
set aside the order in Crl.M.P.No.8861 of 2023 order dated 19.12.2023
passed by the Principal Special under EC and NDPS Court at Chennai.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original petition has been filed challenging the dismissal of the modification petition filed by the petitioner in Crl MP No.8861 of 2023 dated 19.12.2023, on the file of the Principal Special Court under EC and NDPS Act, Chennai.

2. Heard Mr.D.Padmanabhan, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for the respondent.

3. The petitioner was arrested and remanded to judicial custody on 05.04.2023 in the course of investigation in Crime No.161 of 2023. Since no final report was filed within the statutory period, the petitioner filed a statutory bail petition under Section 167(2) of Cr.PC in Crl MP No.8496 of 2023. This application was allowed by an order dated 09.11.2023 by imposing the following conditions :-

That he shall execute a bond for Rs.25,000/- with two acceptable and reliable sureties for a like sum to the



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satisfaction of the learned XV Metropolitan Magistrate, George Town, Chennai. On condition that both sureties must be having immovable property standing in their own name supported with title documents and property tax receipts and one among the sureties must be a Government Surety.

4. The petitioner was not able to comply with the condition with regard to possession of immovable property supported by title documents for both the sureties. Hence, he filed a petition in Crl MP No.8861 of 2023. This application came to be dismissed by an order dated 19.12.2023. Aggrieved by the same, the present Criminal Original petition has been filed before this Court.

5. In the considered view of this Court, the petitioner has been granted statutory bail. Hence, the Court cannot impose any onerous conditions which virtually makes it impossible for the petitioner to come out on bail. The only requirement is to see as to whether the petitioner is



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prepared to furnish bail.

6. In view of the above, the condition imposed by the Court below is modified to the effect that the petitioner shall produce two sureties for a like sum of Rs.25,000/- and one such surety shall be a blood relative. To that extent, the order passed by the Court below in Crl MP No.8496 of 2023 is modified.

7. This Criminal original petition is disposed of in the above terms.

19.01.2024

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
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Note : Issue today

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1. The Principal Special under EC and NDPS Court at Chennai

2. The State represented by its,
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai District.

3. The Public Prosecutor,
High Court of Madras, Madras.



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N.ANAND VENKATESH, J

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