



Crl.M.P.No..417 of 2024 in Crl.O.P.No.12462 of 2023

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A.D.JAGADISH CHANDIRA, J.

This petition has been filed to modify the condition No.11 imposed upon the petitioner by this Court in Crl.O.P.No.12462 of 2023 dated 06.06.2023.

2. Learned counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 19.08.2021 in Crime No.36 of 2021 and he hails from poverty stricken family and the petitioner is in custody for the past 2½ years and the quantity involved in this case is not commercial and while applying for bail, the petitioner had undertook that he was ready and willing to pay Rs.25,000/- to any welfare scheme and based on the said submission, this Court, while granting bail to the petitioner, had imposed a condition that “the petitioner is ordered to be released on bail on condition to make a non refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of RTGS/NEFT to the credit of “Rehoboth Home for mentally challenged homeless women, No.22, Viswas Nagar, Koluthuvancheri, Paraniaputhur, Chennai, vide Account Rehoboth -Punjab National Bank, Moulivakkam Branch, A/c. No.05812010015060, IFSC



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Code:PUNB0058110, MICR Code:600024081” without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties, each for a likesum to the satisfaction of the learned Special Judge for EC/NDPS Act Cases, Salem”. He would further submit that despite the steps taken by the petitioner's family members, they are unable to raise an amount of Rs.25,000/- and thereby, the petitioner was unable to comply with the condition imposed by this Court in this case. Therefore, he seeks for modification of the condition imposed.

3. Learned Government Advocate (Criminal side) appearing for the respondent has no objection for the modification.

4. Considering the fact that the contraband seized from the petitioner is not a commercial quantity and the long period of incarceration and also the submission made by the learned counsel for the petitioner that despite the steps taken by the petitioner's family members, they are unable to raise an amount of Rs.25,000/-, the condition No.11 of the order in



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11. The petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a likesum to the satisfaction of the learned Special Judge for EC/NDPS Act Cases, Salem.

5. It is made clear that the rest of the order shall remains unaltered.

6. With the above direction, this Criminal Miscellaneous Petition stands ordered.

11.01.2024

Note: Issue order copy today(11.01.2024)

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A.D.JAGADISH CHANDIRA, J.

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