



WEB COPY



Crl.O.P.No.12656 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2024

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12656 of 2024

Bhagya Bantr Mishra

... Petitioner

Vs.

The State represented by
The Inspector of Police,
PEW, Adyar Unit,
Chennai.
(Crime No.125 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
prayed to modify the condition imposed on the petitioner by an order dated
04.07.2023 in Crl.M.P.No.4376 of 2023 passed by the Principal Special
Court under EC & NDPS Act, Chennai, directing the petitioner to execute a
bond for Rs.10,000/- along with two acceptable and reliable sureties likesum.
One among sureties shall be a Government servant to the satisfaction of the
Learned IX Metropolitan Magistrate, Saidapet.

For Petitioner : Mr. C.M.Ramakrishnan

For Respondent : Mr. S. Vinothkumar
Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking modification of the order dated 04.07.2023 in Crl.M.P.No.4376 of 2023, in which petition, the petitioner was granted bail by the Principal Special Court under EC & NDPS Act, Chennai.

2.The petitioner is an accused in Crime No.125 of 2023 registered under Sections 8(c), 20(b)(ii)(B) of NDPS Act, 1985 registered by the respondent.

3.While granting bail, the learned Principal Special Judge for EC & NDPS Act, Chennai, had stated that the petitioner shall execute a bond for a sum of Rs.10,000/- along with two acceptable and reliable sureties. The said order also stipulated that one among sureties be a Government servant to the satisfaction of the learned IX Metropolitan Magistrate, Saidapet, Chennai.

4.The learned counsel for the petitioner states that the petitioner hails from Odisha and it would be practically impossible for him to get a Government servant to stand as a surety for him.



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5.It appears that this condition cannot be complied with and it would be very difficult for the Government servant to stand as surety for the accused.

6.Taking all the factors into consideration, the said condition is modified to the effect that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of which, **one surety must be a blood surety and other surety must be a local surety**, each for a like sum to the satisfaction of the learned IX Metropolitan Magistrate, Saidapet. The rest of the conditions shall remain the same.

24.05.2024

smv

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No

C.SARAVANAN, J.



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smv

To

- 1.The Principal Special Court under EC & NDPS Act, Chennai – 104.
- 2.The Inspector of Police,
PEW, Adyar Unit,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

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24.05.2024