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Crl.M.P.No.60 of 2024
in Crl.R.C.No.485 of 2023

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M. NIRMAL KUMAR, J.

This Court, on 04.01.2024, had passed the following order:

“This petition has been filed seeking relaxation of the condition imposed in Crl.M.P.No.5119 of 2023 dated 17.04.2023 in Crl.R.C.No.485 of 2023 dated 15.03.2023 that the petitioner shall report before the learned Principal Special Judge under the NDPS Act, Chennai at 10.30 a.m. on the first working day of every month until further orders.

2.The petitioner/accused in Crime No.532 of 2022 was arrested by the respondent police on 20.08.2022 for offences under Sections 8(c) r/w 22(C) of the NDPS Act. The petitioner had filed a petition under Section 167(2) of Cr.P.C. seeking mandatory bail on the ground that the respondent police ought to have filed charge sheet within the statutory period of 180 days, i.e., on or before 16.02.2023. Prior to that on 13.02.2023, the prosecution had filed a petition under Section 36A(4) of the NDPS Act for extension of statutory period of investigation. The same was considered by the learned Principal Special Judge, Special Court under EC and NDPS Act, Chennai. In the meanwhile, the petitioner's statutory bail application was dismissed, against which, he preferred a revision before this Court in Crl.R.C.No.485 of 2023. This Court, by order dated 15.03.2023, granted bail to the petitioner and one of the



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conditions is that the petitioner to appear before the respondent police on the first working day of every month.

3.The learned Government Advocate (Crl. Side) submits that in this case investigation completed, charge sheet filed, the same was taken on file in C.C.No.836 of 2023 and the case is posted before the learned Principal Special Judge, Special Court under EC & NDPS Act, Chennai on 16.02.2024 for appearance of the accused and furnishing copies. Hence, he seeks some time.

4.Post the case on 19.02.2024.”

2.In continuation and conjunction to the earlier order passed by this Court on 04.01.2024, the learned Government Advocate submitted that the petitioner had been complied with the conditions till December, 2023. It is seen that the petitioner was arrested in Crime No.67 of 2024 for offence under Sections 294(b), 323, 397 and 506(ii) of IPC by the respondent police. In view of the detention in the said case, the petitioner was unable to appear before the trial Court. As far as the present case is concerned, investigation is completed.

3.In view of the same, the condition imposed on the petitioner to report



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before the trial Court on the first working day of every month is relaxed. All other conditions remain unaltered.

19.02.2024

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