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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P.Nos.9531 & 9535 of 2025
in Crl.O.P.No.5991 of 2020

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... Petitioner in both Crl.M.Ps.

Vs.

The Senior Intelligence Officer,
DGGI, Chennai Zonal Unit,
C-3, C Wing, II Floor,
Raj Bhawan, Besant Nagar,
Chennai – 600 090.
(R.R.No.42 of 2019)

... Respondent in both Crl.M.Ps.

Prayer in Crl.M.P.No.9531 of 2025 : Criminal Miscellaneous Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition 9(b) in Crl.O.P.No.5991 of 2020.

Prayer in Crl.M.P.No.9535 of 2025 : Criminal Miscellaneous Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to extend the time granted in Crl.M.P.No.5017 of 2022 in Crl.O.P.No.5991 of 2020 dated 30.08.2023.

For Petitioner : Mr.S.Krishnamoorthy

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor



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COMMON ORDER

This Criminal Miscellaneous Petitions have been filed seeking to modify the condition 9(b) imposed by this Court in Crl.O.P.No.5991 of 2020 dated 30.06.2020 and to extend the time to comply with the condition.

2. The contention of the learned counsel appearing for the petitioner is as follows :-

2.1. The petitioner herein was arrested in connection with R.R.No.42 of 2019 and was granted statutory bail by the Additional Chief Metropolitan Magistrate (EO-I) Court, Egmore, Chennai on 19.02.2020 in Crl.M.P.No.37 of 2020 with certain conditions and some of the conditions were partially modified by the Principal Sessions Court in Crl.M.P.No.4576 of 2020 on 28.02.2020.

2.2. Subsequently, the petitioner approached this Court by filing a petition in Crl.O.P.No.5991 of 2020, sought for modification and this Court, by an order dated 30.06.2020, modified the conditions. In which, one of the conditions is that the petitioner shall furnish two sureties who shall deposit title deeds of immovable properties each to the value of Rs.20lakhs before the Additional Chief Metropolitan Magistrate (EO-I), Egmore, Chennai within four weeks from the lifting of the lock down.



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2.3. Since there are no relatives for the petitioner having title deeds worth about Rs.20 lakhs, the petitioner is unable to execute sureties within time. However, now the petitioner is ready to execute one surety. Further, the petitioner is regularly appearing before the respondent for the past 5 years. Hence, he sought for modification of the condition and to extend the time to comply with the same.

3. Learned Special Public Prosecutor appearing for the respondent strongly opposed for modifying the condition stating that after lifting of lock down, the petitioner has not complied with the orders passed by this Court.

4. Considering the above facts and the submissions made by the learned counsel appearing on either side, this Court is inclined to modify the condition 9(b) & 9(d) imposed in Crl.O.P.No.5991 of 2020 dated 30.06.2020 as follows :-

“ (b) the petitioner shall furnish one surety who shall deposit title deeds of immovable properties stands in his/her name or in the name of his friends or relatives to the value of Rs.20 lakhs before the learned Additional Chief Metropolitan Magistrate (EO-I), Egmore, Chennai;

(d) the petitioner shall report before the respondent Police on every Monday at 10.30 a.m., until further orders.”



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M.NIRMAL KUMAR, J.

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5. Upon execution of surety by the petitioner, the learned Additional Chief Metropolitan Magistrate (EO-I), Egmore, Chennai, shall verify the original title deed with its photocopy and thereafter, return back the original title deed to the surety.

6. The time for executing the surety is extended for a further period of two weeks from the date of receipt of copy of this order.

7. Accordingly, the Criminal Miscellaneous Petitions stand ordered.

09.07.2025

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To

1. The Additional Chief Metropolitan Magistrate (EO-I), Egmore, Chennai.
2. The Senior Intelligence Officer,
DGGI, Chennai Zonal Unit,
C-3, C Wing, II Floor,
Raj Bhawan, Besant Nagar, Chennai – 600 090.
3. The Public Prosecutor,
High Court of Madras.

Crl.M.P.Nos.9531 & 9535 of 2025
in Crl.O.P.No.5991 of 2020

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