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Crl.O.P.No.14191 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-05-2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14191 of 2025

Rekibul Islam, M/a 20,
S/o Saiful Islam,
Salmari Kumar Tub Nagaon,
District, Assam, 782125.

.. Petitioner/Accused-3

/versus/

State rep.By:Inspector of Police,
F-2, Egmore Police Station,
Chennai.
(Crime No.165 of 2025)

..Respondent/Complainant

Criminal Original Petition has been filed under Section 483(1) (b) r/w 528 of BNSS, praying to modify the conditional order passed by the Hon'ble Principal Special Court under EC & NDPS Act, Chennai in Crl.M.P.No.1433 of 2025, dated 22.04.2025 that (i) The petitioner/accused is ordered to be released on bail, on executing a bond of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned XIV Metropolitan Magistrate, Egmore. One among the sureties should be a government surety to consequently modified the condition to another surety also a blood surety or family members surety of the petitioners/accused or local Tamilnadu Government surety or any other order as this Court thinks deem fit and circumstances of the case further on his release from prison.



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Crl.O.P.No.14191 of 2025



For Petitioner :Mr.B.J.Santhosh Kumar

For Respondent :Mr.V.Meganathan,
Government Advocate (Crl.Side)

ORDER

The petitioner seeks modification of the condition imposed on the petitioner in para No.3(1) by the trial Court in Crl.M.P. No.1433 of 2025 dated 22.04.2025, that the petitioner/accused is ordered to be released on bail, on executing a bond of Rs.10,000/-(Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned XIV Metropolitan Magistrate, Egmore. One among the sureties should be a Government surety.

2. The learned counsel appearing for the petitioner submitted that while the trial Court granted bail to the petitioner on 22.04.2025, a condition was imposed that one among the sureties should be a Government surety. He further submitted that the petitioner hails from Assam State and has no known person in the Assam Government service, due to which he is unable to execute the surety. Despite the order of the lower Court, the petitioner is still in confinement for almost one month. Hence, he sought for modification of the said condition.

3. Considering the aforesaid submission made by the petitioner, the



Crl.O.P.No.14191 of 2025

condition imposed on the petitioner that ***one among the sureties should be a***

Government surety is deleted and the condition in paragraph 3 (1) imposed by

the trial Court in Crl.M.P. No.1433 of 2025, dated 22.04.2025, is modified to

the effect that ***“The petitioner/Accused is ordered to be released on bail, on***

executing a bond of Rs.10,000/-(Rupees ten thousand only) with two sureties

for a like sum each to the satisfaction of the learned XIV Metropolitan

Magistrate, Egmore.” The rest of the conditions imposed by the trial Court

shall remain unaltered.

4. Accordingly, this Criminal Original Petition is modified.

16.05.2025

ari/msm

Note:-

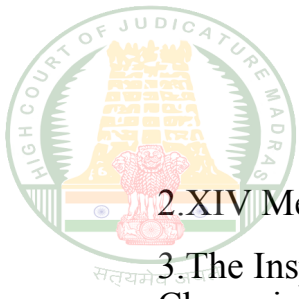
1. Registry is directed to forthwith upload this order in the official website of this Court.

2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To:

1.The Principal Special Court under EC & NDPS Act, Chennai.

3/5



Crl.O.P.No.14191 of 2025

2.XIV Metropolitan Magistrate, Egmore, Chennai.

3.The Inspector of Police, F-2, Egmore Police Station,
Chennai. (Crime No.165 of 2025)

4.The Superintendent, Central Prison, Puzhal, Chennai.

5.The Public Prosecutor, High Court, Madras.

M.NIRMAL KUMAR, J.

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CrI.O.P.No.14191 of 2025

CrI.O.P.No.14191 of 2025

16.05.2025