



WEB COPY



Crl.M.P.No.10859 of 2025 in Crl.O.P.No.8102 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.10859 of 2025 in
Crl.O.P.No.8102 of 2025

Ashura Mohammed Sabani

.. Petitioner

Vs.

The Superintendent of Customs
Rummaging and Intelligence Unit (AIR)
New Custom House
Meenambakkam
Chennai

... Respondent

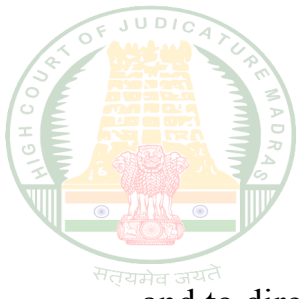
PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition imposed in Paragraph No.8 of the order passed in Crl.O.P.No.8102 of 2025 dated 24.03.2025 and may direct the Trial Court to accept the sufficient local sureties.

For Petitioner : Mr.S.Kasirajan

For Respondent : Mr.P.Vishnu
Special Public Prosecutor

ORDER

This petition has been filed to modify the condition imposed in Paragraph No.8 of the order passed in Crl.O.P.No.8102 of 2025 dated 24.03.2025



Crl.M.P.No.10859 of 2025 in Crl.O.P.No.8102 of 2025

and to direct the Trial Court to accept the sufficient local sureties.

2. The petitioner was granted bail by this Court in Crl.O.P.No.8102 of 2025 on 24.03.2025 subject to the condition in paragraph No.8 that the petitioner shall execute a bond for a sum of Rs.15,000/- with two sureties each for a like sum to the satisfaction of the learned II Additional Special Court for Exclusive Trial of cases under NDPS Act, Chennai.

3.The learned counsel for the petitioner submitted that though the petitioner, a Tanzanian national, furnished two local sureties, the same were returned for the reason that the petitioner hails from Tanzania and the trial court insisting him to furnish sureties from Tanzania. It is his contention that despite the grant of bail on 24.03.2025, the petitioner is still confined in prison. Hence, the present petition has been filed seeking modification of the bail condition.

4.The learned Special Public Prosecutor filed a counter and submitted that the bail was granted with conditions as imposed in Paragraph No.8 of the order.

5. The learned counsel for the petitioner submits that he is willing to comply with the conditions once he let out on bail. He contended that the Trial Court is insisting the petitioner to furnish the sureties from Tanzania which is impossible and grant of bail would serve no purpose.



Crl.M.P.No.10859 of 2025 in Crl.O.P.No.8102 of 2025

WEB COPY

6. Considering the submissions made by the learned counsels on either side and in view of the fact that the petitioner is ready to furnish local sureties, this Court directs the Trial Court to accept the local sureties and not insist upon sureties from Tanzania.

7. With the above direction, the criminal original petition stands modified.

03.07.2025

nr

To

1. The Superintendent of Customs
Rummaging and Intelligence Unit (AIR)
New Custom House
Meenambakkam
Chennai

2. The Public Prosecutor,
High Court, Madras.

3/4



WEB COPY



Crl.M.P.No.10859 of 2025 in Crl.O.P.No.8102 of 2025

M.NIRMAL KUMAR, J.

nr

Crl.M.P.No.10859 of 2025 in
Crl.O.P.No.8102 of 2025

03.07.2025