



WEB COPY



Crl.M.P.No.14102 of 2025 in
Crl.O.P.No.31930 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.14102 of 2025

in

Crl.OP.No.31930 of 2024

Johabanth Suvai

... Petitioner

Vs.

The State rep by.,
The Inspector of Police,
NIB-CID
Chennai.
(Crime No.41 of 2024)

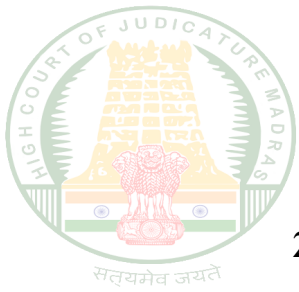
... Respondent

For Petitioner : Mr.Mukesh Kannah

For Respondent : Mr. C.Baskaran,
Government Advocate (Crl.Side)

ORDER

The petitioner was granted bail by this Court in Crl.O.P. No.31930 dated 03.01.2025. One of the conditions imposed was that the petitioner shall execute a bond for a sum of Rs.15,000/- with two sureties for a like sum. Further, one of the sureties was required to be a blood relative. The petitioner was also directed to appear before the XVI Metropolitan Magistrate, George Town, until further orders, and to report before the respondent police every day at 6:30 p.m.



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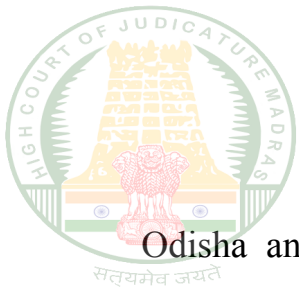
WEB 03.01.2025

2. The contention of the petitioner is that, though bail was granted on 03.01.2025, the petitioner has been unable to secure the required sureties, including a blood relative surety for the value of Rs.15,000/-, and therefore has been unable to execute the bond. As a result, despite the grant of bail, the petitioner has remained in prison for the past six months.

3. It is further submitted that, with regard to the petitioner, there was no recovery. In respect of the co-accused, A3,A5,A6 a recovery of 6 kgs(each) of ganja was made independently. Thus, it would only amount to an intermediate quantity. Considering these aspects, bail was granted, but the conditions imposed have proved to be onerous.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner had been involved in smuggling ganja from the State of Punjab, and that without imposing stringent conditions, the petitioner might abscond. However, it is now submitted that the investigation has been completed and a final report has been filed in C.C. No.78 of 2025, which has been taken on file as C.C. No.78 of 2025.

5. Considering the submissions made on both sides, it is seen that although the petitioner was granted bail on 03.01.2025, he has been unable to comply with the surety condition even after six months. This confirms that the condition imposed has become onerous. The petitioner is a native of the State of



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Odisha and finding a blood relative surety from that State has proven to be extremely difficult. Consequently, the petitioner has been unable to avail the benefit of the bail granted to him. Furthermore, the investigation has been completed, and in the absence of liberty, the petitioner is unable to effectively instruct his counsel and defend himself at the trial.

6. In view of the above, this Court directs that the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties for a like sum, and shall appear before the trial Court on all hearing dates without fail.

7. Accordingly, this Criminal Miscellaneous Petition is ordered.

30.07.2025

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To

1.The Inspector of Police,
NIB-CID
Chennai.

2.The Public Prosecutor,
High Court of Madras

M. NIRMAL KUMAR, J.



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