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Crl.O.P.No.2841 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.2841 of 2026

1.Mohasim Miah

2.Jabedh Hossen

... Petitioners/A1 & A2

Vs.

State Rep. by Inspector of Police,
Prohibition Enforcement Wing (South),
St.Thomas Mount P.S., Chennai.
(CrimeNo.212 of 2025)

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023, to modify the 1st condition that the petitioners/accused are ordered to be released on bail, on each 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 Judicial Magistrate-I, Alandur and one among the sureties of each petitioner should be a blood surety, imposed on the petitioners by the Principal Special Court under E.C., and NDPS Act, Chennai by an order dated 29.01.2026 in Crl.M.P.No.274 of 2026.

For Petitioners : Mr.Balaji Sankara Moorthy

For Respondent : Ms.J.R.Archana

Government Advocate (Crl.Side)s

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioners seeking modification of the bail condition that “*the petitioners/accused are ordered to be released on bail, on each executing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the*



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satisfaction of the learned Judicial Magistrate-I, Alandur; and one among the sureties of each petitioner should be a blood surety”, imposed on the petitioners by the learned Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai-104, by an order dated 29.01.2026 in Crl.M.P.No.274 of 2026.

2. The learned counsel for the petitioners submitted that the petitioner's are migrant labourers from West Tripura and they do not have any blood relatives and they are unable to offer blood surety and they are in prison despite getting an order of bail on 29.01.2026. He further submitted that despite the petitioners best efforts, they are unable to arrange the blood relative surety to comply with the condition imposed by the Lower Court. Hence, he prays to modify the same.

3. Considering the aforesaid facts and circumstances of the case, this Court is inclined to modify the bail condition imposed on the petitioners in Crl.M.P.No.274 of 2026 vide order dated 29.01.2026, passed by the learned Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai-104 and the same is read as follows:

“The petitioners /Accused is ordered to be released on bail, on executing a separate bond of Rs.20,000/- (Rupees



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Twenty Thousand only) with two sureties each for a like sum each to the satisfaction of the learned Judicial Magistrate-I, Alandur. It is made clear that the other conditions imposed on the petitioners in Crl.M.P.No.274 of 2026 vide order dated 29.01.2026, shall remain unaltered”.

4. Accordingly, this Criminal Miscellaneous Petition stands modified.

06.02.2026

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To:

1. The Judicial Magistrate No.1, Alandur.
2. The Principal Special Court under E.C., and NDPS Act, Chennai.
3. The Inspector of Police, Prohibition Enforcement Wing (South), St.Thomas Mount P.S., Chennai.
4. The Superintendent, Central Prison, Puzhal-II, Chennai.
5. The Public Prosecutor, High Court of Madras.

K.RAJASEKAR, J.

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