

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE / PRESIDING OFFICER,
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT, THANJAVUR.

PRESENT : Thiru G. Sundararajan , B.Sc., B.L.,
Sessions Judge, Principal Special Court For Exclusive Trial
of Cases Under Pocso Act, Thanjavur.

Full Additional Charge of the Additional District Judge/ Presiding Officer,
Special Court Under Essential Commodities Act, Thanjavur.

Wednesday, the 16th day of August Two Thousand Twenty Three.

CrI.M.P.No. 5169 of 2023
CNR.No.TNTJ010081632023

- 1) Elumalai, (Aged 28 of 2023)(A1)
S/o Thangapandi.
- 2) Haridoss @ Sathish, (Aged 28/2023)(A2)
S/o Rajendran.
- 3) Nareshkumar @ Naresh @ Kumar,(Aged 27/2023)(A4)
S/o Kannan. ... Petitioners/A1, A2 & A4

-Vs-

State : Rep by Inspector of Police,
Cuddalore OT P.S.,
in Cr.No. 314/2023 ... Respondent/ Complainant.

This Petition coming on final hearing 10.08.2023 in the presence of
Thiru G. Ramkumar, Advocate appearing for the Petitioners/ A1, A2 & A4 and
Thiru N. Ranjith, Special Public Prosecutor appearing for the Respondent/State and upon
hearing the arguments of both sides and on perusal of records this court passed the
following,

ORDER

1) This petition has been filed 09.08.2023 under section 439 of the Code of
Criminal Procedure, 1973 praying an order to modify the bail order in Cr.M.P.No.4759 of
2023, dated 07.08.2023.

2) Heard the argument advanced on both side. Entire case records have been perused by this court.

3) The Petitioners/A1, A2 & A4 were charged for the offence under Section 8(c) r/w 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substance Act 1985.

4) The learned counsel for the Petitioners/ A1, A2 & A4 would submit that the bail was already granted to the Petitioners/A1, A2 & A4 in Cr.M.P.No.4759 of 2023, dated 07.08.2023. In the bail order condition, out of two sureties, one surety was blood relationship of the Petitioners/A1, A2 & A4. The blood related no one is not having any property in his name. Hence they have not able to produce yet another surety for a sum of Rs.25,000/-. Therefore some other third party sureties may kindly be accepted. Hence the Petitioners/A1, A2 & A4 were prayed to modify the bail order in Cr.M.P.No.4759 of 2023, dated 07.08.2023.

5) Notice given to the learned Special Public Prosecutor.

6) Considering the facts and circumstances of this case, this court is inclined to allow this petition.

7) In the result, this petition is allowed by modifying the condition as to the Petitioners/A1, A2 & A4 should produce one surety of his close relative instead of blood relative with respect to the other condition in Cr.M.P.No.4759 of 2023, dated 07.08.2023 is unaltered.

Pronounced by me in the open court, this the 16th day of August 2023.

Sd.,/- G. Sundararajan,
Additional District Judge/Presiding Officer,
Special Court under E.C. Act. Thanjavur. (FAC)

//True Copy // By Order //