

**ORDER ON APPLICATION FOR
RELAXATION OF CONDITION**

This petition is filed seeking relaxation of the conditions imposed as per order dated 11.04.2025.

2. It is contended in the application that accused person is ready to furnish two local sureties. Hence, condition of offering solvent surety is sought to be relaxed.

3. In this regard, counsel has relied upon the judgment of Hon'ble High Court of Karnataka rendered in the case of Mohammed Shakir v. The State of Karnataka and another (Crl. Ptn. No.200564/2022 dated 23.06.2022).

4. On perusal of the facts brought under the consideration of Hon'ble High Court , it is noticed that accused facing the allegations of the offences punishable under Section 406 and 420 of IPC was ordered to furnish solvency certificate of the sureties, during which, it is contended that solvency certificate requires time and the petitioner therein had no criminal antecedents. Hence, Hon'ble High Court judiciously, in exercise of its power has relaxed the condition.

5. Whereas, the context in this case are so much different that petitioner herein is facing the allegations of offence under NDPS Act. He was released on bail. Petitioner by his absence and non-compliance has allowed the said bail bonds to be forfeited. When the warrants continued to search the accused, to save himself against the forfeited bonds, had approached Hon'ble High Court, even before entering the homeland. Hon'ble High Court has imposed certain conditions and unwillingness to comply the condition is already dealt in the order dated 11.04.2025. Thereby, recording sufficient reasons, the conditions were imposed with the only object of securing the accused.

6. Even otherwise, the petitioner Mohammed Shakir, had sought the bail for the first time. Whereas the petitioner has allowed the earlier bail bond to be forfeited. Neither the petitioner informed the court about his leaving the country nor the solvency certificate is ordered while granting the bail for the first time.

7. If securing solvency certificate were to take time, primary requirement of seeking solvency certificate is not established. Under such circumstances, there are no just grounds to entertain the application.

Hence, petition is dismissed. Petitioner shall surrender forthwith.

For HBC, Call on 12.05.2025.

Principal Sessions Judge,
Udupi.