



WEB COPY

CRL MP No. 10998 of 2
IN CRL A NO. 280 OF 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL MP No. 10998 of 2026

IN

CRL A NO. 280 OF 2026

Chandru
S/o.Perumal (late),
No.152/77, Perumal Koil Street,
Maduravoyal,
Chennai - 600 095.

..Petitioner(s)

Vs

State rep.by, The Inspector of Police,
All Women Police Station,
Virugambakkam,
Chennai District.

..Respondent(s)

Prayer: Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023, praying to modify the condition imposed in Para No.7 of the order dated 30.03.2026 passed in Crl.M.P.No.4822 of 2026 in Crl.A.No.280 of 2026.

For Petitioner(s):

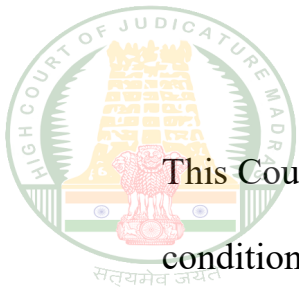
Mr.H.Maruthiraj for
Ms.A.Anuradha

For Respondent(s):

Ms.Sharada Vivek,
Government Advocate (Crl. Side)

ORDER

The petitioner/Accused in Spl.S.C.No.34 of 2023 was convicted by the trial Court, against which, the petitioner preferred the above Crl.A.No.280 of 2026 along with suspension of sentence petition in Crl.M.P.No.4822 of 2026.



This Court, by order dated 30.03.2026, granted bail to the petitioner with certain conditions. One of the conditions was that the petitioner to execute a bond for a sum of Rs.25,000/- with two sureties, out of whom, one surety must be a blood related surety.

2. The learned counsel for the petitioner submitted that due to matrimonial discord, the de facto complainant, who is the mother of the victim, lodged the complaint and also forced the victim to toe the line as projected against the petitioner. He further submitted that during trial, PW1 and PW2, the defacto complainant and victim resiled from their earlier statements. But the trial Court convicted the petitioner based on the other materials available on record. He further submitted that, as the petitioner has no blood relative to stand as surety for the sum of Rs.25,000/-, despite the petitioner being granted bail on 30.03.2026, he is in prison for more than three months. Hence, the onerous bail condition to be modified.

3. Considering the above submission and finding that the petitioner was granted bail on 30.03.2026, but thereafter too, for the past three months he is unable to execute sureties due to the condition of one blood related surety. In view of the same, this Court finds that the condition of one blood related surety is not required. Hence, this Court modifies para No.7 of the order dated 30.03.2026 passed in Crl.M.P.No.4822 of 2026 as follows:



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“7. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner/accused is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five thousand only), with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court to deal with cases related to POCSO Act at Thiruvallur, ...”

Further, condition No.(ii) modified as follows:

“(ii) The petitioner/accused shall appear before the Trial Court once in three months at 10.30 a.m. on the first working day of the month, until further orders and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the Trial Court on any other day in lieu of the date of his absence, as directed by the Trial Court.”

4. With the above modifications, this Criminal Miscellaneous Petition is ordered.

01-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RSI



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CRL MP No. 10998 of 2
IN CRL A NO. 280 OF 2



M.NIRMAL KUMAR J.

RSI

To

1.The Sessions Judge,
Special Court to deal with cases related to
POCSO Act at Thiruvallur.

2.The Inspector of Police,
All Womens Police Station,
Virugambakkam,
Chennai District.

3.The Public Prosecutor,
High Court, Madras.

**CRL MP No. 10998 of 2026
AND
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