IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9973 of 2020

Senthil Kumar ... Petitioner

-Vs-

State
Rep. by the Sub-Inspector of Police,
All Women Police Station,
Omalur.
(Crime No.25/2019) ... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to modify the condition imposed in Crl.M.P.No.192 of 2020 dated 08.05.2020 on the file of the Special Court, Exclusive Trial of cases under POCSO Act, Salem by allowing the present Criminal Original Petition.

For Petitioner : Mr.Deepan Uday

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioner has filed this petition to modify the condition imposed in Crl.M.P.No.192 of 2020 dated 08.05.2020 on the file of the Special Court, Exclusive Trial of cases under POCSO Act, Salem by allowing the present Criminal Original Petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. The learned counsel for the petitioner submitted that the petitioner is the sole bread winner of his family and he doesn't have the financial capacity to comply with the condition to deposit a sum of Rs.1,00,000/-. Hence, this petition has been filed to modify the above condition.

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4. Considering the facts and circumstances of the case, the condition imposed in Crl.M.P.No.192 of 2020 dated 08.05.2020 by the Special Court, Exclusive Trial of cases under POCSO Act, Salem is modified to the effect that "the petitioner shall draw a D.D. for Rs.50,000/- (Rupees Fifty Thousand Only) in favor of the victim child and deposit the same before the Court". The other conditions imposed by the Court shall remain unaltered. This petition is ordered accordingly.

-sd/-
03/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL COURT,
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
SALEM.

2 THE SUB-INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
OMALUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S DEEPANUDAY Advocate on payment of necessary charges

CRL OP.9973/2020

Date :03/07/2020

MK:16/09/2020

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