

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

CrI.O.P.No. 14845 of 2020

Manikandan M/30
S/O Perumal
D.No.6, MGR Nagar,
Seeranaickenpalayam,
Coimbatore District.

... Petitioner

Vs.

The State rep.by
The Inspector of Police,
AWPS Police Station,
Coimbatore.
(Crime No.9 of 2019)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed on the petitioner by the learned special Court for Exclusive Trial of cases under Posco Act, Coimbatore by an order dated 04.03.2020 made in C.M.P.No.141 of 2020. “ The petitioner is ordered to be released on bail executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each.

For Petitioner : Mr. M. Vinoth

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

ORDER

(The case has been heard through video conference)

This petition has been filed to modify the condition imposed by the learned special Court for Exclusive Trial of cases under POCSO Act, Coimbatore by an order dated 04.03.2020 made in Crl.M.P.No.141 of 2020.

2. The learned counsel for the petitioner would submit that the petitioner was arrested on 03.12.2019 in Crime No.9 of 2019 and he was granted statutory bail by the learned special Court for Exclusive Trial of cases under POCSO Act, Coimbatore in Crl.M.P.No.141 of 2020 dated 04.03.2020 on condition that the petitioner was directed to execute bond for a sum of Rs.25,000/-(twenty five thousand only) with two sureties each. Whereas, in respect of co-accused, he was directed to execute surety for a sum of Rs.10,000/-(ten thousand only) with two sureties for a like sum each. Despite the order passed on 04.03.2020 since the petitioner is unable to furnish two sureties for a sum of Rs.25,000/- , the petitioner is unable to come out and he is still languishing in prison and thereby, the petitioner has filed the petition to seek modification of the condition in Crl.M.P.No.141 of 2020 dated 04.03.2020 imposed by the learned special Court for Exclusive Trial of cases under POCSO Act, Coimbatore.

3. Heard the learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case, the condition imposed by the learned special Court for Exclusive Trial of cases under POCSO Act, Coimbatore in CrI.M.P.No.141 of 2020 dated 04.03.2020 is modified to the effect that “the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) with one surety for a like sum. The other conditions shall remain intact.

5. Accordingly, this petition is ordered.

22.09.2020

Index : Yes/No

Internet : Yes/No

smn

To

1.The learned special Court for Exclusive Trial of cases under Posco Act, Coimbatore.

2. The Inspector of Police,
AWPS Police Station,
Coimbatore.

3.The Central Prison Coimbatore.

4. The Public Prosecutor,
High Court, Madras.

A. D. JAGADISH CHANDIRA, J.

smn



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