

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.15429 of 2020

Manikandan@Auto Manikandan
S/o. Perumal

... Petitioner

Vs.

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

... Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C. to modify the condition imposed on the petitioner by the learned Special Court for Exclusive Trail of cases under POCSO Act, Coimbatore by an order dated 12.05.220 made in C.M.P.No.224 of 2020 "The petitioner/accused should produce the nativity certificate and permanent residential proof with a bond for a sum of Rs.25,000/- with two sureties for a likesum of Rs.25,000/- each one of which should be a blood relative and the sureties should produce a solvency certificate for the surety amount/property".

For Petitioner

: Mr.M. Vinoth

For Respondent

: Mr. M. Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

This Criminal Original Petition has been filed to modify the condition imposed on the petitioner by the learned Special Court for Exclusive Trail of cases under POCSO Act, Coimbatore by an order dated 12.05.2020 made in C.M.P.No.224 of 2020 "The petitioner/accused should produce the nativity certificate and permanent residential proof with a bond for a sum of Rs.25,000/- with two sureties for a likesum of Rs.25,000/- each one of which should be a blood relative and the sureties should produce a solvency certificate for the surety amount/property".

2. The learned counsel for the petitioner would submit that the petitioner was arrested in crime No.9 of 2019 registered by the respondent for the offence under Sections 5(u) read with 6, 9(g) read with 10, 13 r/w. 14 and 17 of POCSO Act, 2012. The petitioner was arrested and remanded to judicial custody on 27.12.2019. Since the final report has not been filed, the petitioner filed application for bail under Section 167(ii) of Cr.P.C. on the file of the

Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and the learned Special Court has granted bail on condition that the petitioner/accused should produce the nativity certificate and permanent residential proof with a bond for a sum of Rs.25,000/- with two sureties for a likesum of Rs.25,000/- each one of which should be a blood relative and the sureties should produce a solvency certificate for the surety amount/property". He would submit that the petitioner is unable to furnish the sureties. He would further submit that the petitioner is still in Judicial custody from 27.12.2019.

3. Taking into consideration the facts and circumstances of this case, the condition imposed on the petitioner in CMP.No.224 of 2020 dated 12.05.2020 is modified to the effect that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with one surety for a like sum. The other conditions imposed will remain intact.

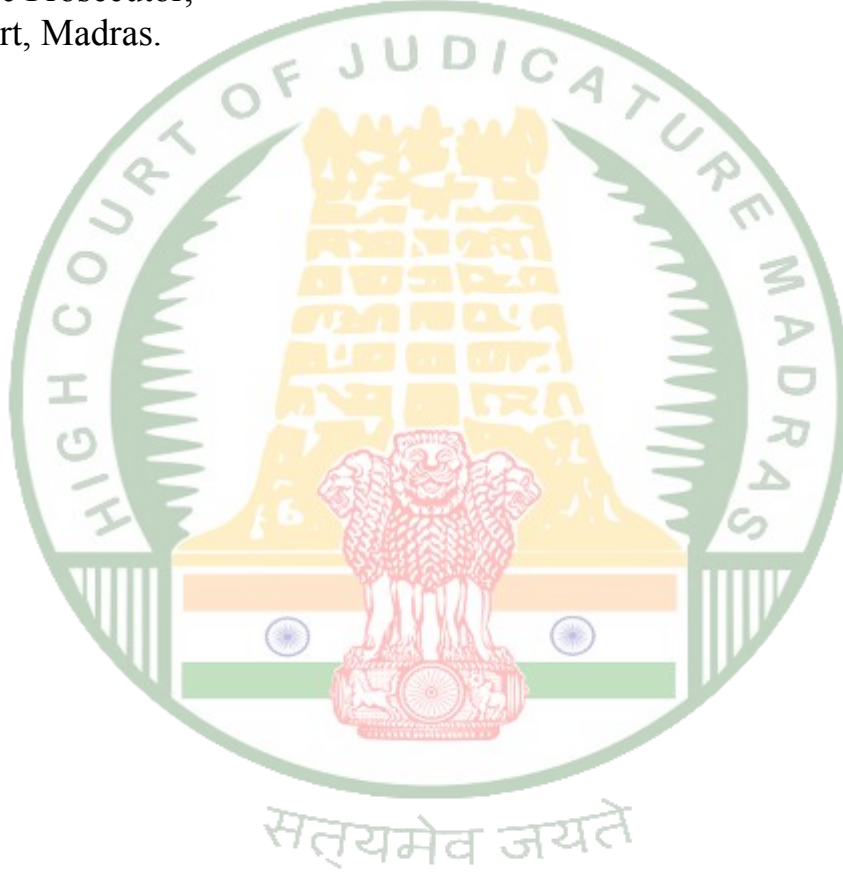
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30.09.2020

Index: Yes/No
Internet : Yes/No
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To

1. The Inspector of Police,
AWPS West Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.



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A. D. JAGADISH CHANDIRA, J.
dh



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