

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.15426 of 2020

1. Prakash

S/o. Ravikumar

2. Narayanamoorthy

S/o. Selvaraj

3. Karthikeyan

S/o. Selvaraj

... Petitioners

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 petitioners by the learned Special Court for Exclusive Trail of cases under POCSO Act, Coimbatore by an order dated 03.03.220 made in C.M.P.No.131 of 2020 "The petitioners are 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 and thus render justice.

For Petitioners : 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 petitioners by the learned Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore by an order dated 03.03.2020 made in C.M.P.No.131 of 2020 "The petitioners are ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for a like sum each.

2. The learned counsel for the petitioners 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 Section 17 of POCSO Act, 2012 and Section 354(B), 506(ii) of IPC. The petitioners were arrested and remanded to judicial custody on 29.11.2019. Since the final report has not been filed, the petitioners 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 to the petitioners with a condition to execute a bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for a like sum each. He would submit that the petitioners are unable to furnish surety for an amount of Rs.25,000/- (Rupees Twenty five thousand only). He would further submit that the petitioner is still in Judicial custody from 29.11.2019.

3. Taking into consideration the facts and circumstances of this case, the condition imposed on the petitioners in CMP.No.131 of 2020 dated 03.03.2020 is modified to the effect that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with one surety for a like sum. The other conditions imposed will remain intact.

30.09.2020

Index: Yes/No
Internet : Yes/No
dh

To

1. The Inspector of Police,
AWPS West Police Station,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

A. D. JAGADISH CHANDIRA, J.

dh



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