



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Second day of November Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL MP(MD) No.9277 of 2021
in
Crl.A(MD)No.227 of 2021

C.KESAVAN

... PETITIONER/ APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KUZHITHURAI,
KANYAKUMARI DISTRICT.
(IN CRIME NO.19/2016)

... RESPONDENT/ COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition laid down by this court in Crl MP (MD) No.6773 of 2021 in Crl A (MD) No.227 of 2021 dated 09.09.2021 pending disposal of the Criminal Appeal.

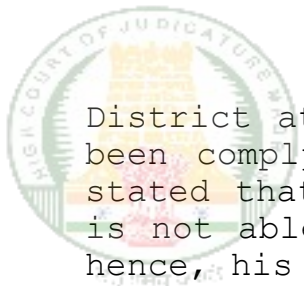
Prayer in CRL.A.(MD)No.227 of 2021:

To Call for the records and set aside the Judgment of the Sessions Special Court for POCSO Act Cases, Kanyakumari District at Nagercoil dated 21.04.2021 made in Special S.C.No.05 of 2017 in so far as against the Appellant/Accused herein and allow the above Appeal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.G.ANTO PRINCE, Advocate for the petitioner and of Mr.M.MUTHUMANIKKAM, Government Advocate (Crl.side) on behalf of the Respondent, the court made the following order:-

This petition has been filed to relax the condition imposed on the petitioner in Crl.M.P(MD)No.6773 of 2021 in Crl.A(MD)No.227 of 2021, dated 09.09.2021.

2.Mr.G.Anto Prince, learned counsel appearing for the petitioner would state that while granting suspension of sentence, this Court imposed a condition that the petitioner/Appellant shall appear before the Special Court for POCSO Act Cases, Kanyakumari



District at Nagercoil, daily at 10.30 a.m., and the petitioner has been complying with the condition from 09.09.2021. It is further stated that in view of the condition imposed on the petitioner, he is not able to go for regular work and earn for his livelihood and hence, his entire family is suffering.

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3. Mr.M.Muthumanikkam, learned Government Advocate (Crl.side) appearing for the State Government would submit that the petitioner has been complying with the condition regularly from 09.09.2021 without any violation.

4. Hence, in the light of the above fact, the condition imposed on the petitioner in Crl.M.P(MD)No.6773 of 2021 in Crl.A(MD)No.227 of 2021, dated 09.09.2021 is not violated, the same is modified to the effect that the petitioner is directed to appear before the Special Court for POCSO Act Cases, Kanyakumari District at Nagercoil, on the first working day of every month at 10.30 a.m., until further orders.

5. Accordingly, this petition is ordered.

sd/-

02/11/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
KANYAKUMARI DISTRICT AT NAGERCOIL.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KUZHITHURAI,
KANYAKUMARI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-33627[F] dated 02/11/2021)

ORDER IN

CRL MP(MD) No.9277 of 2021 in
Crl.A(MD)No.227 of 2021

Date :02/11/2021

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<https://hdcv.cse.judg.gov.in/cse/cases/1.2021/2P.6C>