



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.2332 OF 2022

MegarajKarthi, M/A 22 years,
S/o.Jayachandran

... Petitioner

Vs.

The Inspector of Police,
AWPS Police Station,
Salem Town.
Cr.No.19 of 2021.

... Respondent

Prayer: Criminal Original Petition has been filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition no.1 imposed in the order 02.12.2021 passed in Crl.M.P.No.800 of 2021 in Crime No.19 of 2021 pending on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Salem.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to modify the condition imposed by the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Salem in Crl.M.P.No.800 of 2021 dated 02.12.2021.

2. The learned counsel for the petitioner submitted that the petitioner is not an accused and the lower Court, while granting bail to the petitioner, the trial Court imposed a condition that the petitioner shall execute a bond for a sum of Rs.50,000/- with two sureties for like sum each and both the sureties shall be a close blood relative of the petitioner/accused; that the



petitioner/accused shall produce authenticated certificates issued by the local Village Administrative Officer as to the blood relationship of the sureties. However, the petitioner does not own any property and his parents are daily wage earners and they are also not having any property and they cannot able to produce any solvency certificate. Hence, the modification petition has been filed by the petitioner.

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

4. Considering the facts and circumstances of the case, reason is justifiable, hence, this Court modifies the condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Twenty Five Thousand only) with two sureties for like sum each and both the sureties shall be a close blood relative of the petitioner/accused. The other conditions imposed by the Court shall remain intact.

5. With the above modification, this Criminal Original Petition is ordered.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

drl

To

1. The Principal Special Court for
Exclusive Trial of Cases under POCSO Act,
Salem.
2. The Inspector of Police,
AWPS Police Station,
Salem Town.
3. The Public Prosecutor,
Madras High Court.

Cr1.O.P.No.2332 of 2022

NRL(CO)
RLP(11/02/2022)