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Crl.O.P.(MD) No.16361 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16361 of 2022

Akilan
Rep.by his father
Murugan

...Petitioner

VS

1. The Inspector of Police
Othakadai Police Station,
Madurai District

2.Sethuraman

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Learned Juvenile Justice Board,Melur to consider the Bail Application of the Petitioner concerned in Cr.No.268 of 2022 on the file of the Inspector of Police,Othakadai Police Station,Madurai District/The 1st Respondent herein and pass orders in accordance with law on the same day of his surrender if any petition filed by the Petitioner .

For Petitioner	: Mr.S.Ramsundarvijayraj
For R-1	: Mr.R.Sivakumar
	Government Advocate(Crl.side)



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ORDER

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This Criminal Original Petition has been filed to seeking direction to direct the learned Juvenile Justice Board, Melur to consider the bail application of the Petitioner concerned in Cr.No.268 of 2022 on the file of the Inspector of Police, Othakadai Police Station, Madurai District/first Respondent herein and pass orders in accordance with law on the same day of his surrender if any petition filed by the Petitioner .

2. The learned Counsel for the Petitioner submits that the Petitioner seeks direction to the Juvenile Justice Board, Melur to consider the bail application of the Petitioner on the same day of his surrender.

3. The learned Government Advocate(Crl.Side) objected to the line of arguments of the learned Counsel for the Petitioner stating that the learned Single Judge of this Court on an earlier occasion as per the order dated 16.02.2016 had dismissed the similar petition on the ground that by exercising power Section 482 of Cr.P.C, this Court cannot direct the Juvenile Justice Board to consider the bail application on the same day. It is for the specially trained persons of the Juvenile Justice Board to consider



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the merits of the case to the facts and circumstances of each case regarding the welfare of the Juvenile Justice in conflict with law and the accused to hear the Court concerned, therefore the learned Single Judge had dismissed the prayer of the Petitioner seeking to consider the bail on the same day by the Juvenile Justice Board.

4. This Court does not had difference of opinion with the reasons expressed by the learned Single Judge of this Court while dismissing the petition in Crl.O.P(MD) Nos.1785,1941,2073,2047 and 2224 of 2016. The reasons stated by the learned Single Judge is found reasonable and acceptable considering the peculiar circumstances in which the Juvenile Justice Board operates.

5. In view of the same, the Criminal Original Petition stands dismissed.

19.09.2022

Internet:Yes./No

Index:Yes/no

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To

1. The Inspector of Police
Othakadai Police Station,
Madurai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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