



Crl.O.P.(MD) No.16651 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16651 of 2022

Perarasan (minor)
representation by his father Guardian
P.Singam

...Petitioner

VS

1. The Superintendent of Police
Madurai District
Madurai.

2. The State represented by
The Inspector of Police
Elumalai Police Station,
Madurai District

3. Karthikaiselvi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to issue direction to the learned Juvenile Justice Board, Madurai to
accept the surrender of the petitioner's son in connection with Crime No.165
of 2022 on the file of the second respondent Police and to consider and



Crl.O.P.(MD) No.16651 of 2022

dispose the bail application filed by the petitioner on the same day on merits.

For Petitioner : Mr.J.Bharathiveerakumar
For R-1 & R-2 : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Juvenile Justice Board, Madurai to accept the surrender of the Petitioner's son in connection with the case in Crime No.165 of 2022 on the file of the second Respondent Police and to consider and dispose the bail application filed by the Petitioner on the same day on merits.

2. The learned Counsel for the Petitioner submits that the Petitioner seeks direction to the Juvenile Justice Board, Madurai 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



Crl.O.P.(MD) No.16651 of 2022

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 the merits of the case to the facts and circumstances of each case regarding the welfare of the Juvenile in conflict with law 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 have 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 acceptable considering the peculiar circumstances in which the Juvenile Justice Board operates.



Crl.O.P.(MD) No.16651 of 2022

WEB COPY

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

20.09.2022

Internet: Yes./No

Index: Yes/no

aav

To

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



WEB COPY



Crl.O.P.(MD) No.16651 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

aav

CRL.O.P (MD) No.16651 of 2022

20.09.2022