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CrI.O.P.No.13717 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.13717 of 2023

Pravinkumar @ Praveenkumar

... Petitioner

/vs/

State Rep by,
The Inspector of Police,
V.Kalathur Police Station,
Perambalur District.
Crime No.83 of 2023

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Juvenile Justice Board, Perambalur District to accept the surrender of the petitioner and consider the petitioner's bail application on the same day in Crime No.83 of 2023 on the file of the respondent police.

For Petitioner

... M/s.M. Vijaya Ragavan

For Respondents

... Mr. Leonard Arul Joseph Selvam
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking direction to the learned Juvenile Justice Board, Perambalur District to accept the surrender of the petitioner and consider the petitioner's bail application on the same day in Crime No.83 of 2023 on the file of the respondent police.

2.The learned counsel for the petitioner submitted that if the petitioner is apprehended and produced before the learned Juvenile Justice Board, the bail application may not be considered on the same day. He requires permission of the Court to surrender the child in conflict with law before the learned Juvenile Justice Board and prays that the bail application to be filed on behalf of petitioner may be considered on the same day.

3.The learned Government Advocate (Criminal side) submitted that the case in Crime No.83 of 2023 is registered against petitioner and other accused for the offence under Sections 147, 148, 341, 294(b), 324, 354, 506(ii) and 379 of IPC. The petitioner is the sixth accused in this case and he is not yet apprehended so far.



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4. Section 12 of Juvenile Justice (care and Protection of Children) Act, 2000 mandates the Juvenile Justice Board to consider the bail application of child in conflict with law, who is involved in the commission of non-bailable offence and he be released on bail with or without surety or placed under the supervision of a Probation Officer or under the care of any fit person. Only in cases, where it appears there are reasonable grounds for believing that the release is likely to bring that person in association with any known criminal or expose the said person to the moral, physical or psychological danger or that the person released to defeat the ends of justice, the Board shall record the reasons for denying the bail.

5. In the case before hand, the offences involved in this case are under Sections 147, 148, 341, 294(b), 324, 354, 506(ii) and 379 of IPC. Therefore, the learned Juvenile Justice Board, Perambalur is directed to consider the bail application of the petitioner along with surrender application on the same day and pass orders on merits as indicated above.

4. In view of the above, the Criminal Original Petition stands



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allowed.

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20.06.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
Sma

NOTE : *Issue Order Copy on 21.06.2023*

To

1. The Judicial Magistrate,
Juvenile Justice Board,
Perambalur District.
2. The Inspector of Police,
V.Kalathur Police Station,
Perambalur District.
3. The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

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