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Crl.O.P.No.14215 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.14215 of 2023

Mahesh

... Petitioner

Vs.

State Represented by,
Inspector of Police,
Perumbakkam Police Station,
Crime No.196 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to modify the condition order passed in Crl.M.P.No.415 of 2023 dated 13.04.2023 passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Chengalpattu in Crime No.169 of 2022 on the file of the Respondent Police “ that the Petitioner/Accused should execute a bond for a sum of Rs.10,000/- with two sureties each and one surety must be a blood relative of the accused and another surety must be a Government Servant for a like sum of the Satisfaction of the Court”.

For Petitioner : Mr.C.Srinivasan

For Respondent : Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

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2. The learned counsel for the petitioner submitted that, petitioner filed Crl.M.P.No.415 of 2023 under Section 167(2) of Cr.P.C seeking statutory bail on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Chengalpattu. The learned Judge while granting bail, imposed certain conditions. One such condition is as follows:

Petitioner/Accused should execute a bond for a sum of Rs.10,000/- with two sureties each and one surety must be a blood relative of the accused and another surety must be a Government Servant for a like sum to the satisfaction of this Court.



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3. It is the submission of the learned counsel for the petitioner that, petitioner is not able to secure any Government Servant, who is willing to stand as surety for the petitioner. Petitioner is prepared to offer two blood relative as surety.

4. In the light of the submission of the learned counsel for the petitioner that, petitioner is not able to secure any Government Servant to stand as surety for the petitioner, this Court directs the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Chengalpattu to accept the two blood relatives offered as surety for the petitioner, after satisfying their credentials.

5. Therefore, the conditions imposed on the petitioner by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Chengalpattu in Crl.M.P.No.415 of 2023 vide order dated 13.04.2023 with regard to requiring Government Servant as surety is set aside. However Petitioner is directed to produce two blood relatives as surety before the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Chengalpattu.



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6. Accordingly, this Criminal Original Petition is allowed.

28.06.2023

Internet: Yes
Index: Yes/No
Sma

To:

1. Sessions Judge,
Special Court for Exclusive Trial of Cases
under POCSO Act at Chengalpattu
2. Inspector of Police,
Perumbakkam Police Station,
3. The Public Prosecutor,
Madras High Court.



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G.CHANDRASEKHARAN, J.
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