



WEB COPY



Crl.O.P.No.15558 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15558 of 2023

Maheswaran

... Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore- District.
(Crime No.397 of 2022)

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order passed by learned Principal Special Court for Exclusive trial of cases under POCSO Act in Crl.M.P.No.605 of 2023 dated 30.05.2023 and to relax the condition imposed to the petitioner shall report before the respondent police on every Sunday at 10.30 a.m., until the final report filed orders in Crl.M.P.No.1444 of 2022 dated 24.11.2022.

For Petitioner : Mr.S.Anbazhagan

For R1 : Mr.A.Damodaran

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed challenging the order



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passed by the Court in Crl.M.P.No.605 of 2023 dated 30.05.2023 dismissing the application filed by the petitioner seeking for relaxation of the condition imposed while granting statutory bail to the petitioner in Crl.M.P.No.1444 of 2022.

2. The learned Additional Public Prosecutor submitted that the investigation has been completed and the final report has been placed before the Public Prosecutor for getting the opinion. The learned Additional Public Prosecutor therefore submitted that the final report will be filed at the earliest.

3. The petitioner is aggrieved by the fact that the Court below had imposed the condition directing the petitioner to appear before the respondent police every Sunday at 10.30 a.m., till the final report is filed and the petitioner has been complying with this condition for a long period of time. According to the petitioner, he is living in Pudukottai and he has to travel to Coimbatore every Sunday in order to comply with the condition. When the petitioner sought for relaxation of this condition, the same was dismissed by the Court below.

4. In the light of the submission made by the learned Additional Public Prosecutor, the investigation is now completed and the final report is only at the stage of taking opinion from the Public Prosecutor. Therefore, there shall be a



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direction to the respondent police to file the final report before the concerned Jurisdictional Court within a period of four weeks from the date of receipt of a copy of this order. If in the mean time, the presence of the petitioner is required, it is left open to the respondent police to call the petitioner for enquiry. To that extent, the condition imposed by the Court below is modified.

5. This Criminal Original Petition is disposed of in the above terms.

12.07.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

mpa

To

1.The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore- District.

2.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH,J.

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