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CrI.O.P.No.27649 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.27649 of 2024

1. Mannu
2. Madeswaran ... Petitioners

Vs.

1. State Rep.by
Deputy Superintendent of Police,
Tiruchengode Sub Division,
Namakkal District.

2. State Rep.by
Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District,
Crime No.152 of 2024.

3. Arpukodi ... Respondents

[R3 Suo Motu impleaded as per order
dated 06.11.2024 in CrI.O.P.No.27649 of 2024]

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./528 of BNSS Act, 2023, to set aside and modify one of the conditions to execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) along with two solvency sureties one of the sureties should be blood surety for a like sum passed in C.M.P.No.155 of 2024



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dated 14.10.2024 on the file of the learned Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (POA) Act, Namakkal in Crime No.152 of 2024 on the file of the second respondent police.

For Petitioners : Mr.C.S.Saravanan
For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1 and R2

Mr.R.Muruga Bharathi for R3

ORDER

This Criminal Original Petition is filed to modify the conditions imposed by the learned Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (POA) Act, Namakkal in C.M.P.No.155 of 2024 dated 14.10.2024.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for respondents 1 and 2 and the learned counsel for the third respondent.

3. Learned Additional Public Prosecutor appearing for respondents 1 and 2, on instructions, submitted that investigation in Crime No.152 of 2024 was completed and charge sheet was filed before the learned



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Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (POA) Act, Namakkal. The learned Sessions Judge has took cognizance of the case in Spl.S.C.No.26 of 2024. He further submitted that the case is posted for appearance of petitioners/accused on 28.11.2024.

4. On a perusal of the order of the Court below, this Court finds that no stringent conditions are imposed on the petitioners/accused and there is no necessity to modify the said conditions. The petitioners are directed to appear before the learned Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (POA) Act, Namakkal, as the case is posted for appearance of accused on 28.11.2024. However, the petitioners are at liberty to approach the Special Court for modification of the conditions, in case, they have filed any modification petition, the learned Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (POA) Act, Namakkal, is directed to consider the said petition and pass appropriate orders on merits and in accordance with law, after giving notice to the victim and after hearing the victim.

5. With the above direction, this Criminal Original Petition is dismissed.



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Note : (i) *Upload forthwith*

(ii) *All concerned to act forthwith on the uploaded soft copy of this order and not insist upon production of certified copy.*

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Sessions Judge,
Special Court for Trial of Cases Registered
under SC/ST (POA) Act, Namakkal.
2. The Deputy Superintendent of Police,
Tiruchengode Sub Division,
Namakkal District.
3. The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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