



Crl.O.P.(MD) No.253 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.02.2024

CORAM:  
THE HONOURABLE MR.JUSTICE M.DHANDAPANI  
Crl.O.P.(MD) No.253 of 2024

Sigamani

... Petitioner/Petitioner

Vs.

The State by  
The Inspector of Police,  
CBCID-South, Ramnad Police Station,  
Ramanathapuram District.  
Crime No.1 of 2023

... Respondent/Complainant

**PRAYER:** Criminal Original Petition is filed under Section 439(1)(b) r/w 482 of Cr.P.C., to set aside the order imposed by the learned Sessions Judge (Fast Track Mahila Court), Ramanathapuram, in Crl.M.P.No.2586 of 2023 dated 01.12.2023 and relax the condition in Crl.M.P.No.904 of 2023 on the file of the learned Sessions Judge (Fast Track, Mahila Court), dated 03.03.2023.

For petitioner : Mr.K.Radhakrishnan, Advocate  
For Respondent : Mr.B.Nambiselvan  
Additional Public Prosecutor

### ORDER

This petition has been filed seeking to to set aside the order imposed by the learned Sessions Judge (Fast Track Mahila Court), Ramanathapuram, in Crl.M.P.No.2586 of 2023 dated 01.12.2023 and relax the condition in Crl.M.P.No.904 of 2023 on the file of the learned Sessions Judge (Fast Track, Mahila Court), dated 03.03.2023.



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2.The case of the petitioner is that the petitioner was implicated for the offences under Sections 363, 366(A) and 376(3) of IPC and Section 5(1)(c) and 6 of POCSO Act @ 363, 366(A), 372 and 376(2) of IPC and Sections 5(1), 5(g) and 6 of POCSO Act. Thereafter, the petitioner filed a bail application before the trial Court. Initially, the trial Court granted bail to the petitioner with certain conditions. Subsequently, the same was cancelled. Challenging the same, the petitioner filed SLP(Crl.)No.9911 of 2023 before the Hon'ble Supreme Court of India and the Hon'ble Supreme Court granted interim stay against the cancellation of bail granted by the trial Court on 03.08.2023. Thereafter, the petitioner filed a relaxation petition before the trial Court and the same was dismissed on the ground that the petitioner has already filed bail petition before the Hon'ble Supreme Court of India in SLP (Crl.)No.9911 of 2023 and in that case, interim stay was granted against the cancellation of bail order dated 03.08.2023. Against which, the petitioner filed the present petition before this Court.

3.Heard the learned counsel on either side and perused the materials available on record.



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4.It is seen from the records that the cancellation of bail petition and the conditions imposed by the trial Court were seized by the Hon'ble Supreme Court of India. Since the SLP petition is pending before the Hon'ble Apex Court, either the trial Court or this Court cannot grant any order in this case and the said issue was rightly dismissed by the trial Court.

5.In view of the above, this Court is not inclined to interfere with the order passed by the trial Court. Hence, this petition is dismissed.

sd/-  
15/02/2024

/ TRUE COPY /

/02/2024

Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI  
TO

- 1 THE SESSIONS JUDGE,  
FAST TRACK MAHILA COURT, RAMANATHAPURAM.
- 2 THE INSPECTOR OF POLICE  
CBCID SOUTH, RAMNAD POLICE STATION,  
RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.



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+1. CC to Mr.K.Radhakrishnan, Advocate SR.No.5537 DATED 16/02/2024

ORDER  
IN  
CRL OP(MD) No.253 of 2024  
Date :15/02/2024

SS/VR/SAR- /22/02/2024/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023