



CRL MP(MD) No.5975 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Sixth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

Crl.M.P.(MD)No.5975 of 2024

in

CRL.A(MD)No.129 of 2023

THANESH

... PETITIONER/ APPELLANT/ SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
COLACHEL,
KANNIYAKUMARI DISTRICT,
IN CRIME NO.20/2020

... RESPONDENT/ RESPONDENT/ COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed against appellant while granting bail to petitioner in Crl.MP (MD)No.2786/2023 dt 08.03.2024 related to execute a bond for a sum of Rs.25000/- with two blood sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for POCSO Act Cases, Nagercoil.

PRAYER in CRL A(MD)No.129 of 2023:

To call for the entire records connected to the judgment in Spl.S.C.No.7 of 2021 on the file of the Hon'bel Sessions Judge, POCSO Special Court, Nagercoil dated 27.10.2022 and set aside the conviction and sentence imposed against the appellant.



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PRAYER IN CRL.MP(MD).2786/2023:

Pleaded to suspend the sentence imposed against the appellant in Spl S.C No. 7 of 2021 on the file of the Honble Sessions Judge, POCSO Special Court, Nagercoil dated 27.10.2022 and release him on bail till the disposal of the main appeal.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ALAGUMANI.R, Advocate for the petitioner and of Mr.M.MUTHUMANIKKAM, Government Advocate(crl.side) on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the condition imposed on the petitioner in Crl.M.P(MD).No.2786 of 2023 in Crl.A(MD)No.129 of 2023 dated 08.03.2024.

2. The learned counsel for the petitioner submitted that while granting the suspend the sentence, this Court imposed the condition against the petitioner that to execute the bond for a sum of Rs.25,000/- with two blood sureties. He further submitted that the petitioner have no blood relatives and so far he has not executed the surety. Hence, he seeks modification of the said condition.

3. The learned Government Advocate (Crl.Side) submitted that after considering the entire facts and circumstance of this case only, this Court imposed the above said condition.

4. Heard both sides and perused the materials available on record.



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5. After hearing both side counsel, this Court does not finds any merits in this petitions. Accordingly, this Criminal Miscellaneous Petition is dismissed.

sd/-
26/06/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES, NAGERCOIL.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
COLACHEL,
KANNIYAKUMARI DISTRICT

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P.(MD)No.5975 of 2024
in
CRL.A(MD)No.129 of 2023
Date :26/06/2024

SA/VR/SAR. /12.07.2024/3P/5C

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