



CRL MP(MD) No.6043 of 2024

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

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

PRESENT

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

CRL MP(MD) No.6043 of 2024

in

CRL A(MD)No. 778 of 2022

THEENATHAYALAN

... PETITIONER/PETITIONER

/APPELANT/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, THIRUVAIYARU,

THANJAVUR DISTRICT.

(CRIME NO.03/2018)

... 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.To modify the condition in Para No.7(i)The Petitioner shall execute a bond for a sum of Rs.25000/- (Rupees Twenty Five Thousand only) with two blood sureties each for a like sum to the satisfaction of the learned Sessions Judge, special court for exclusive trial of cases under POCSO Act, Thanjavur and (iii) The petitioner shall appear and sign before the concerned court daily at 10.30a.m and 5.30 p.m till the disposal of the appeal imposed in Crl MP(MD)No. 3729 of 2024 in Crl A(MD)No. 778 of 2022 before this Hon'ble court dated 27.03.2024.

PRAYER IN CRL A(MD)No. 778 of 2022:

To call for the records in Special Sessions Case No. 115 of 2019 on the file of the Learned Special Court for Exclusive Trial of cases under POCSO Act Thanjavur,

<https://www.mhc.tn.gov.in/jedis>



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Thanjavur District and set aside the judgment dated 24.08.2022 and acquit the appellant of the charges leveled against him.

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.KRISHNAVENI.M, Advocate for the petitioner and of MR.M.MUTHUMANIKKAM, Government Advocate (Criminal Side) on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to modify the condition in Para No.7 “(ii)The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two blood sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur and (iii) The petitioner shall appear and sign before the concerned Court daily at 10.30 a.m., and 5.30 p.m., till the disposal of the appeal” imposed in Crl.M.P(MD)No.3729 of 2024 in Crl.A(MD)No.778 of 2022 before this Court, dated 27.03.2024.

2.The suspension of sentence granted by this Court with the following conditions:

“(i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two blood sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act,



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Thanjavur.

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identify.

(iii) The petitioner shall appear and sign before the concerned Court daily at 10.30 a.m., and 05.30 p.m., till the disposal of the appeal.

(iv) The petitioner shall furnish his residential address and mobile number to the trial Court i.e., learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur.”

3. The learned Counsel for the petitioner submitted that the petitioner has no property. Hence, he is unable to execute the surety. In view of the said submission, this Court modifies the condition (i) with the following terms:

3.1.The learned trial Judge is hereby directed to accept the surety of mother and other relative.

3.2.The surety need not execute a bond of sum of Rs.25,000/-

before the learned Sessions Judge, Special Court for Exclusive Trial of



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Cases under POCSO Act, Thanjavur.

3.3.The surety shall surrender original Aadhar Card.

sd/-

19/06/2024

/ TRUE COPY /

20 /06/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RJR

TO

- 1 THE SPECIAL JUDGE
FOR EXCLUSIVE TRIAL OF CASES UNDER POSCO ACT,
THANJAVUR, THANJAVUR DISTRICT.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVAIYARU,
THANJAVUR DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.M.KRISHNAVENI, Advocate (SR-6658[I] dated 19/06/2024)

ORDER
IN
CRL MP(MD) No.6043 of 2024
in
CRL A(MD)No. 778 of 2022
Date :19/06/2024

PKP/20.06.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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