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Crl.O.P.(MD)No.21829 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21829 of 2024

Munieeswaran @ Muniyasamy

.. Petitioner

Vs.

1. The Inspector of Police
Virudhunagar West Police Station
Virudhunagar District

2. The Juvenile Justice Board
Soolakarai
Virudhunagar,
Virudhunagar District

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent to consider the bail application of Juvenile /Petitioner's son namely Munieeswaran @ Munisamy in Crime No.256/2024 on the file of first respondent on the same day of surrender before the second respondent Board.

For Petitioner : Mr.E.Mareeskumar
For Respondents : Mr.A.Thirvadi Kumar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the second respondent to consider the bail application of Juvenile /Petitioner's son namely Munieeswaran @ Munisamy in Crime No.256/2024 on the file of first respondent on the same day of surrender before the second respondent Board.

2. The petitioner's minor son aged about 17 years college going student had posted some pictures in the social media along with his friends which has been projected against the petitioner's son. First Information Report has been registered and the first and second accused were arrested. The son of the petitioner has been arrayed as A4. The petitioner's son is a college going student and due to his age and ill advice without knowing the consequences and seriousness and without knowing the antecedents of the others had joined with them and now he is facing prosecution.

3. The contention of the petitioner is that normally they would be given details to the juvenile home and the juveniles will be in the reform home and thereafter some time only bail will be granted. In this case the petitioner's son is a college student and if he is detained in the reform



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home along with other inmates the chances of the petitioner's son getting being affected . This will only do harm than doing good to the son of the petitioner. In support of his contention the petitioner also relied on the order passed by this Court in Crl.O.P(MD) No.22689 of 2023 dated 15.12.2023.

4. The learned Additional Public Prosecutor also not disputed the fact that the son of the petitioner is the college student and he also produced the photos of the petitioner's son along with three others displaying patta knife and along knife which would attract Arms Act. The petitioner has not shown any remorse and he needs to be sent for counselling as well as for community service as per Section 18(c) Juvenile Justice(Care and Protection of Children) Act.

5. Considering the submission and the limited prayer of the petitioner to consider the bail application of the petitioner's son on the same day the Juvenile Justice Board is directed to consider bail application on the same day and pass order on merits and in accordance with law. Further in the event of granting bail to the petitioner's son he may be directed to do community service to the special children in the CSI School



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for the Intellectually disabled, Elwin Centre, Satchiyapuram, Sivakasi
during weekends i.e., every Saturday and Sunday for three weeks.

6. With the above direction, the Criminal Original Petition stands
disposed of.

12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The CSI School for the Intellectually disabled,
Elwin Centre, Satchiyapuram, Sivakasi
2. The Inspector of Police
Virudhunagar West Police Station
Virudhunagar District
3. The Juvenile Justice Board
Soolakarai
Virudhunagar,
Virudhunagar District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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