



Crl.O.P.(MD) No.3616 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.(MD) No.3616 of 2025

Ramesh

... Petitioner / Accused No.2 / Accused No.2

Vs.

State of Tamil Nadu
represented by the
Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai.

(Crime No.15 of 2022)

... Respondent / Complainant / Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS r/w 483(i)(b) of BNSS to set aside the order in Crl.M.P.No.3180 of 2024 dated 22.11.2024 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai in Special Sessions Case No.191 of 2022 as illegal and to modify the condition No.1 and direct the trial Court to release the petitioner on executing a bond for Rs.10,000/- along with two sureties among which one of them shall be a solvent surety for the petitioner's appearance within the time stipulated by this Court.

For Petitioner : Mr.P.Vetrivel

For Respondent : Mr.S.S.Manoj,
Government Advocate (Criminal Side)

ORDER

This Petition has been filed under Section 528 of BNSS r/w 483(i)(b) of BNSS praying to set aside the order in Crl.M.P.No.3180 of 2024 dated 22.11.2024 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai in Special Sessions Case No.191 of 2022 as illegal and to modify the condition No.6 (1)



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and direct the trial Court to release the petitioner on executing a bond for a sum of Rs.10,000/- along with two sureties among which one of them shall be a solvent surety for the petitioner's appearance within the time stipulated by this Court.

2. Mr.P.Vetrivel, learned counsel appearing for the petitioner submits that since the petitioner is inside the jail, he is unable to obtain a Nativity Certificate. He further submits that the petitioner has some documents to prove his permanent residence. In these circumstances, the learned counsel prays to modify the condition No.6 (1) of the order passed by the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai in Crl.M.P.No.739 of 2023 dated 23.05.2023.

3.Mr.S.S.Manoj, learned Government Advocate (Criminal Side) has no objection to modify the condition imposed by the Court below.

4.In view of the above, this Court is inclined to modify Condition No.6 (1) of the bail order in Crl.M.P.No.739 of 2023, dated 23.05.2023 passed by the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, as follows:

“The petitioner / accused should produce a permanent residential proof along with two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, and one of them should be a blood relative.”



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5. Accordingly, this Criminal Original Petition stands allowed. The other conditions shall hold good.

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sd/-
26/02/2025

/ TRUE COPY /

26/02/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE
TRIAL OF CASES UNDER POCSO ACT, MADURAI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM, MADURAI.

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

+1. CC to M/S.P.VETRIVEL Advocate SR.No.12374[F] Dated 26/02/2025

ORDER
IN

CRL OP(MD) No.3616 of 2025
Date :26/02/2025

RS/IT/SAR-(26.02.2025) 3P 5C
Madurai Bench of Madras High Court is issuing
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