



CRL OP(MD). No.8272 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02/06/2025

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THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8272 of 2025

Murugan
S/o.Gurusamy,
Silaman,
Madurai District.

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Silaiman Police Station,
Madurai District.
(In Crime No. 136 of 2022).

... Respondent

PRAYER :- Criminal Original Petition is filed under Section 483 (1)(B) r/w 528 of BNS, 2023, to modify the condition No.6(1) imposed on the petitioner by the learned Principal Sessions Court for Exclusive Trial of Cases under POCSO Act, Madurai in CrI.M.P.No.1205 of 2022 dated 03.08.2022 with the regard to the execution of sureties as to accept two sureties without insisting solvency certificates instead of Solvency Certificate shall be duly annexed by concerned Tahsildar.

For Petitioner : M.Vivek Kumar

For Respondent : Mr.S.Prakash

Government Advocate (Crl.Side)



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ORDER

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This petition has been filed by the petitioner to to modify the condition No.6(1) imposed on the petitioner by the learned Principal Sessions Court for Exclusive Trial of Cases under POCSO Act, Madurai in Crl.M.P.No.1205 of 2022 dated 03.08.2022 with the regard to the execution of sureties as to accept two sureties without insisting solvency certificates instead of Solvency Certificate shall be duly annexed by concerned Tahsildar.

2. The learned counsel appearing for the petitioner would submit that except the petitioner's wife, no relatives are ready to stand as a surety for the petitioner and the petitioner's wife is a daily wage employee and she was unable to produce solvency for a sum of Rs.10,000/-. He would further submit that the petitioner has already approached the Principal Special Court for Trial of cases under POCSO Act, Madurai in Crl.M.P.No.3179 of 2024 in Spl.S.C.No.125 of 2022, but the same was dismissed and he is unable to come out on bail for the reasons that the sureties were not accepted. Therefore, he filed this petition to modify the condition.

3. Heard the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the records.



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4. It is seen that the petitioner was arrested on 25.04.2022 and despite the statutory bail granted on 03.08.2022, unfortunately, he is unable to come out on bail for the reasons that the sureties were not accepted. Considering the facts and circumstances of this case, this Court is inclined to modify the condition imposed on the petitioner to the effect that “the petitioner shall produce nativity certificate and permanent residential proof along with two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, who need not be blood relatives and without insisting on a solvency certificate”. All other conditions shall remain unaltered.

5. Accordingly, this Criminal Original Petition is ordered.

sd/-
02/06/2025

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/06/2025

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

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TO मेव जयते

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1. THE PRINCIPAL SESSIONS COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, MADURAI
2. THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.8272 of 2025

Date :02/06/2025

PR/11.06 .2025 4P/4C

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