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CRL MP(MD) NO. 19437 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-12-2025

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

CRL MP(MD) NO. 19437 of 2025

in

CRL.A(MD)No.575 of 2023

1. Ajithkumar
S/o.Mahendran
No.16,7th Ward
Perumparai Colony
Nathavanapattu
Old Ayakudi
Palani
Dindigul District.

...Appellant/Accused No.2

Vs

The Inspector of Police
All Women Police Station
Palani,Dindigul District.
Crime No.9/2020.

...Respondent/Complainant

For Petitioner(s):

M/s.P.Krishnaveni
Anbu Selvan.K

For Respondent(s):Mr.K.Sanjai Gandhi

Government Advocate(Crl.side)

Prayer:Criminal Miscellaneous Petition filed under Section 528 of BNSS
to relax the condition imposed against the petitioner in Crl M.P.(MD).



No.10368 of 2023 in CrI.A.(MD).No.575/2023, dated 31.10.2023.

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ORDER

This Petition is filed to relax the condition imposed by this Court in the order, dated 31.10.2023 in CrI.M.P(MD)No.10368 of 2023 in CrI.A.(MD).No.575/2023, dated 31.10.2023.

2, The above Criminal Appeal was filed challenging the conviction and sentence passed by the learned Judge, POCSO Court, Dindigul in Spl.S.C.No.28 of 2023, dated 13.6.2023, wherein, the Petitioner was found guilty and convicted under Section 9(i) r/w 10 of POCSO Act and sentenced to undergo five years imprisonment and to pay a fine of Rs. 1,000/-, in default, the petitioner was directed to undergo three months rigorous imprisonment. The trial Court further ordered that the imprisonment already undergone would be set off under Section 428 of Cr.P.C.

3. The Petitioner, in the appeal, filed an application for suspension of sentence and the same was allowed vide order, dated 31.10.2023 in



Crl.M.P(MD)No.10368 of 2023 on following conditions:

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(i)The Petitioner/accused No.2 is directed to be enlarged on bail on condition that the Petitioner shall execute a bond for a sum of Rs. 25,000/-(Rupees twenty five thousand only) with two sureties, each for a likesum to the satisfaction of the learned Special Court for POCSO Act, Dindigul.

(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 identity, and

(iii)The Petitioner shall appear before the trial Court on first working day of every week at 10.30 a.m until further orders.

4.The learned counsel for the Petitioner submits that the Petitioner has complied with all the three conditions imposed by this Court, till date. The learned counsel further submits that due to the condititons imposed by this Court, the Petitioner was unable to go for any work and maintain his family. The learned counsel for the Petitioner therefore prayed that the conditions imposed in the aforementioned order may be relaxed.

5.The learned Government Advocate(Crl.side) appearing for the respondent/State submits that the Petitioner has been complying with the conditions imposed by this Court till date.



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6. In view of the above submissions, the condition No.3 imposed by this Court is relaxed to the effect that the Petitioner shall appear before the trial Court concerned in the first Monday of every English Calendar month at 10.30 a.m, until further orders.

7. This Criminal Miscellaneous Petition is accordingly allowed.

09-12-2025

To

1. The Sessions Judge,
Special Court for Exclusive trial of Cases under POCSO Act.
Dindigul District.

2. The Inspector of Police
All Women Police Station
Palani, Dindigul District.
Crime No.9/2020.

Copy to

1. The Superintendent,
Central Prison,
Madurai.

2. The Government Advocate (Crl. side)
Madurai Bench of Madras High Court,

4/6



Madurai.

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N.MALA,J

vsn

ORDER MADE IN
CRL MP(MD) NO. 19437 of 2025
in
CRL.A(MD)No.575 of 2023



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09.12.2025