



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.1447 of 2020

Arun Kumar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Papanasam, Thanjavur District.
(Crime No.6 of 2019)

... Respondent/Complainant

For Petitioner : M/s.B.Jameel Arasu, Advocate.

For Respondent : M/s.M.Anantha Devi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

for bail in Crime No. 6 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 10.11.2019 for the offences punishable under sections 5(m), 6 of POCSO Act, 2012, in Crime No.6 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner's earlier petition was dismissed by me on 20.12.2019 with the following directions.

"5.The respondent is directed to file final report immediately and without any delay. The statement of the victim girl will also be recorded within a period of 30 days after taking cognizance of the offence. The petitioner can renew his bail petition only after the victim's evidence is recorded".



4.The petitioner's counsel states that even though such direction was given, final report has not been filed till date.

5.When I queried the learned Government Advocate (Crl.side) as to why final report has not been filed, the response of the Investigating Officer is that they are waiting for medical report from the Thanjavur Medical College. It is not known as to when requisition was made.

6.Mrs.Sarojini, Head Constable is unable to place the relevant papers before this Court.

7.I am of the view that in this case such medical examination is not necessary because it is not one of rape.

8.Therefore, the respondent is directed to file final report within a week. If the final report is not filed within a week, serious view will be taken of the lapse on the part of the respondent.

9.With this direction, this criminal original petition is dismissed. The respondent is also directed to file a compliance report to the Registry.

sd/-
29/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PAPANASAM, THANJAVUR DISTRICT.
2. THE SUPERINTENDENT, CENTRAL PRISON,
TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1447 of 2020
Date :29/01/2020

MS/PN/SAR-4/03.02.2020/2P.4C