

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Fifteenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.4702 of 2021

MAHENDIRAN

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY

[ RESPONDENT ]

THE INSPECTOR OF POLICE,  
BRAMMADESAM POLICE STATION,  
VILLUPURAM DISTRICT  
(CRIME NO.243/2019)

For Petitioner : M/S.M.VENKATESAN Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The Petitioner, who was arrested and remanded to judicial custody on 01.10.2019 for the offence punishable under Sections 341, 376(3), 376(A), 302 IPC r/w. 5(m)(1), 6 of POCSO Act 2012 in Crime No.243 of 2019, seeks bail.

2. The petitioner is the sole accused. The case of the prosecution is that the petitioner has sexually assaulted a 10 years old minor girl and caused his death. Hence, the complaint came to be registered.

3. The learned counsel for the petitioner would submit that the the petitioner is in jail from 01.10.2019 . Now , investigation is completed, final report has been filed and the matter is posted for trial. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioner has committed a heinous crime. Now, investigation is completed and final report has been filed and the matter is pending for trial. If the petitioner is released on bail, he may abscond and derail the proceedings.

5. Considering the gravity of the offence that the petitioner had sexually assaulted a 10 years old minor girl and caused her death, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed. However, considering the fact that the matter is ripen for trial, the trial Court is directed to proceed with the trial and dispose the same within a period of 3 months from the date of receipt of a copy of this order.

-sd/-

15/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDENT,  
CENTRAL PRISON, CUDDALORE.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,  
BRAMMADESAM POLICE STATION,  
VILLUPURAM DISTRICT.

+1CC to M/S.M.VENKATESAN Advocate on payment of necessary charges SR NO.3497

सत्यमेव जयते

CRL OP.4702/2021

Date :15/03/2021

MK:22/03/2021

WEB COPY