

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twentieth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.7329 of 2021

KALYANASUNDARAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SALEM DISTRICT.
(CR.NO.2/2019)

For Petitioner : M/S. M.RAJENDIRAN Advocate

For Respondent : MR. R.ANISON, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 11.05.2019 for the offence punishable under Sections 7 & 8 of POCSO Act, 2012 in Crime No.2 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had sexually harassed the daughter of the defacto complainant, who is aged about six years. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He also submitted that this is the fourth application for bail and the earlier applications were dismissed on 30.07.2019, 01.10.2019 and 25.11.2019 respectively and the petitioner has been suffering imprisonment from 11.05.2019. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) submitted that trial was already initiated in Special SC.No.263 of 2019 on the file of the Special Sessions Judge, Salem and the trial is at end stage. He also submitted that the case has been posted on 07.05.2021 for

cross examination of Investigation Officer and there is no change of circumstances in this case. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the case has been taken cognizance in Special SC.No.263 of 2019 on the file of the Special Sessions Judge, Salem and the case has been posted on 07.05.2021 for cross examination of Investigation Officer. Though this is the fourth bail application, there is no change of circumstances in this case. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-

20/04/2021

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 SPECIAL SESSIONS JUDGE,
MAHILA COURT, SALEM

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SALEM DISTRICT.

CC to M/S. M.RAJENDIRAN Advocate on payment of necessary charges

WEB COPY

CRL OP.7329/2021

Date :20/04/2021

RVR 21/06/2021