

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.10744 of 2021

E.Raja

... Petitioner

Vs.

State represented by
The Inspector of Police,
All Women Police Station,
Ranipet, Ranipet District.
(Crime No.24 of 2020)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.24 of 2020 on the file of the respondent police.

For Petitioner : Mr.J.Prakasam

For Respondent : Mr.S.Sugendran
Government Advocate (Crl.Side)

O R D E R

The respondent police has registered a criminal case against the petitioner in Crime No.24 of 2020 for the offence punishable under Section 5(m), 6 of POCSO Act, and Section 341 of IPC. The petitioner was arrested and remanded to judicial custody on 21.12.2020. Hence he filed this petition seeking bail.

2 Case of the prosecution is that the petitioner and the defacto complainant are neighbours. On 20.12.2020, the petitioner said to have taken the victim child and sexually assaulted her, who is aged about 8 years. When the defacto complainant found the victim child crying in front of the petitioner's house, he has questioned the same and rescued the child. Hence the present case has been filed against the petitioner.

3 Heard the learned counsel appearing on either side.

4 It is seen that the victim child is only 8 years at the time of occurrence. The petitioner, who is aged about 48 years alleged to have made sexual assault on the child, which offence comes under the POCSO Act. Further, this Court has dismissed the earlier petition filed by the petitioner seeking bail and directed the Special Court to expedite the trial also fixed time frame to complete the trial.

5 In view of the above and considering the gravity of offence committed by the petitioner and age of the victim child, this Court is not inclined to grant the relief of bail to the petitioner. Further, the case is coming for trial and at this stage, if the petitioner released on bail, he may tamper the witness.

6 Hence, this criminal original petition is dismissed.

-sd/-

23/06/2021

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, VELLORE

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RANIPET DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.10744/2021

Date :23/06/2021

RVR 25/06/2021