



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14786 of 2021

Kamaraj Perumal

... Petitioner/Accused No.2

Vs

The State rep.by,

The Inspector of Police,

All Women Police Station, Virudhunagar.

In Crime No.5 of 2020.

... Respondent/Complainant

For Petitioner : Mr.S.M.Anantha Murugan, Advocate.

For Respondent : Mr.T.Senthilkumar,

Additional Public Prosecutor.

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

PRAYER :-For Bail in Crime No.5 of 2020 on the file of the respondent police.

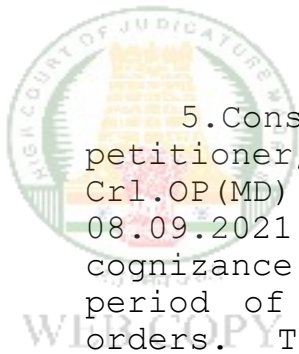
ORDER : The Court made the following order :-

The petitioner/A2 who was arrested on 02.09.2020, for the offence punishable under Sections 5(m), 5(n), 5(1) r/w Section 6 of POCSO Act, 2012 and Section 506(i) I.P.C, in Crime No.5 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the minor victim girl, who is aged about 11 years has been exploited by her own father and her cousin. Hence, the complaint.

3.The learned counsel for the petitioner submits that the entire allegations are made as against the first accused and not against this petitioner. He further submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Though this Court has issued a direction as early as on 15.12.2020 to complete the trial within a period of stipulated time, the trial court has not proceeded with the case. The petitioner is inside the prison from 02.09.2020 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent has produced the statement of the victim girl recorded under Section 164 Cr.P.C and it reveals that this petitioner, who is the cousin brother of the victim girl, has also exploited her. He would submit that the investigation is yet to be completed.



5.Considering the nature of offence committed by the petitioner, this Court, dismissed the earlier bail petitions in Crl.OP(MD).Nos.14780 of 2020 and 13190 of 2021 on 15.12.2021 and 08.09.2021 respectively and directed the trial Court to take cognizance of the case forthwith and dispose of the case, within a period of four months from the date of receipt of copy of the orders. Though the directions have been granted to the trial Court to complete the trial, this Court once again directs the trial Court to complete the trial within a period of four months from the date of receipt of a copy of this order. It is made clear that the trial Court shall not take any further extension of time to complete the trial in this case.

6.With the above observation, this Criminal Original Petition is dismissed.

sd/-

01/10/2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE SPECIAL COURT FOR EXCLUSIVE TRIAL OF
CASES UNDER POCSO ACT, 2012,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VIRUDHUNAGAR.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.14786 of 2021

Date :01/10/2021

MSA

<https://hmc.judges.org/In/Case/10.2021/2P/6C>