



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

Date : 10/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17376 of 2021

WEB COPY

M.Vijayakanth

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Sattur Town,
Virudhunagar District.
Cr.No.7 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Mohan A,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.7 of 2021 on the file of the Respondent police.

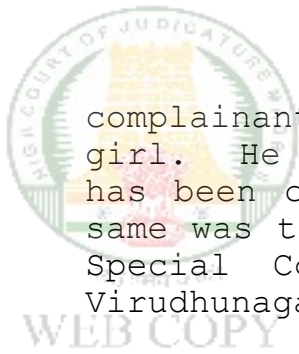
ORDER : The Court made the following order :-

The petitioner/Sole accused, who was arrested and remanded to judicial custody on 22.06.2021 for the offences punishable under Sections 7 r/w 8, 3 r/w 4 of POCSO Act 2012, in Crime NO.7 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl is aged about 16 years and the petitioner is aged about 35 years and he committed sexual harassment on the victim girl. Hence, the present complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and he is under judicial custody from 22.06.2021 and hence, he seeks bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State would submit that the defacto complainant's husband and the petitioner's wife are brother and sister and that the defacto complainant and her husband used to send the victim girl and her sister to remain in their aunty's house, whenever they used to go



complainant's daughter and committed sexual assault on the victim girl. He would further submit that the investigation in this case has been completed and a charge sheet has also been filed and the same was taken on file as Spl.S.C.No.38 of 2021, on the file of the Special Court for Exclusive trial of cases under POCSO Act, Virudhunagar District at Srivilliputhur.

5.Considering the above facts and circumstances of the case and considering the seriousness and gravity of the offences alleged as against the petitioner and also considering the age of the victim girl, this Court is not inclined to grant bail to the petitioner.

6.This Court is informed that there are 212 cases pending on the file of the Special Court for Exclusive trial of cases under POCSO Act, Virudhunagar District at Srivilliputhur. But at the same time, since the petitioner is in judicial custody from 22.06.2021, this Court is of the view that the trial of the case is directed to be conducted expeditiously by giving priority to the above case.

7.In the result, this Criminal Original Petition is dismissed. The learned Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Virudhunagar District at Srivilliputhur is directed to give priority to the above case and conduct the trial and dispose of the same as expeditiously as possible.

sd/-
10/11/2021

/ TRUE COPY /

/ /2021
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 Sessions Judge,
Special Court for Exclusive trial of cases under POCSO Act,
Virudhunagar District at Srivilliputhur.



2.The Superintendent,
Central Prison, Madurai.

3.The Inspector of Police,
All Women Police Station,
Sattur Town
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.17376 of 2021

Date :10/11/2021

RS/PN/SAR4 (15.11.2021) 3P 5C