



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Third day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.3788 of 2022

PRATHISH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VILIANUR POLICE STATION,
PONDICHERRY DISTRICT
CR NO.95/2021

[RESPONDENT]

For Petitioner : M/S. K.KANNAN Advocate

For Respondent : Mr.V.Balamurugane Public Prosecutor for Pondicherry

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 23.04.2021 for the offences under Sections 302, 201 IPC and 6 of POCSO Act 2019 read with 34 IPC, in Crime No.95 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that for the past three years, the accused was in love affair with the deceased and had sexual intercourse with her on several occasions. While so, few days before the occurrence, the accused came to know that the deceased loathed him and now she is in love with one Vicky. Hence, the accused planned to murder the deceased as such, he asked the deceased to come to his residence wherein they had sexual intercourse and thereafter, he took her to the graveyard of Poraiyur Pet wherein, he assaulted her with wooden log and beer bottle as a result, she died. Thereafter, he tied the corpse of the deceased in a white colour woven sack and thrown near the wall of the said graveyard. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the charge sheet has been filed and the same has been taken on file in Spl.S.C.No.40 of 2021 and that the



petitioner has been suffering incarceration for more than 300 days from 23.04.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) would raise strong objection stating that if the petitioner is released on bail there is every possibility of the petitioner getting abscond and thereby, the trial would be stalled.

5. Considering the fact that the earlier bail application was dismissed and there is no change of circumstances, as of now, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

03/03/2022

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, PONDICHERRY

2 THE INSPECTOR OF POLICE,
VILIANUR POLICE STATION,
PONDICHERRY DISTRICT

3 THE PUBLIC PROSECUTOR
PUDUCHERRY

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

CRL OP.3788/2022

Date :03/03/2022

RVR 14/03/2022