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Crl.O.P.No.6329 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.03.2022**

CORAM

THE HON'BLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.No.6329 of 2022

Naveen Kumar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
All Women Police Station,
Mettur,
Salem District.
(Crime No.4 of 2020)

... Respondent

PRAYER: Criminal Original petition is filed under Section 439 of Criminal Procedure Code, to enlarge the Petitioner on bail pending trial of S.C.No.48 of 2020 on the file of the Special District and Sessions Judge Exclusively Trial for POCSO Act Case of Salem District.

For Petitioner : Mr.N.U.Pressanna

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The Petitioner, who was arrested and remanded to Judicial custody on 20.06.2020 for the offences punishable under Section 506(i) of IPC



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and Section 5(m) and 6 of the Protection of Children from Sexual Offences Act in Crime No.4 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner who is a married man, had committed penetrative sexual assault on the victim girl who is aged about 11 years. Hence, the complaint.

3. The learned counsel for the petitioner would submit that this is the fifth application for bail. This Court while disposing the earlier application in Crl.O.P.No.22180 of 2021 dated 29.11.2021, had directed the Trial Court to complete the trial and deliver the judgment as expeditiously as possible preferably, within a period of two months from the date of receipt of a copy of that order. However, despite lapse of months, trial has not been completed so far.

4. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the petitioner is charged for the offence under Section 506(i) of IPC and Section 5(m) and 6 of the Protection of Children from



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Sexual Offences Act. There are twenty witnesses in this case, out of which, the prosecution had examined LW1 to LW16 as PW1 to PW16 and four witnesses have to be examined. This Court earlier had directed the learned Trial Judge to complete the trial as expeditiously as possible. However, due to pandemic restrictions, the prosecution was unable to proceed with the trial. He would further submit that the case was not delayed by the prosecution. Further, the case now stands posted on 06.04.2022 before the trial Court. He would further submit that the four witnesses would be examined as soon as possible.

5. In view of the above, Trial Court is directed to comply with the earlier order and complete the trial as expeditiously as possible. With the above direction, this Criminal Original Petition stands dismissed.

22.03.2022

Index:Yes/No

Internet:Yes/No

Speaking order/Non-Speaking order

shk/sai



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A.D.JAGADISH CHANDIRA, J.

shk

To

1.The Inspector of Police,
All Women Police Station,
Mettur,
Salem District.
(Crime No.4 of 2020)

2.The Public Prosecutor,
High Court of Madras.

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