

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.7932 OF 2022

G.Jayakumar

... Petitioner/Accused

.Vs.

1. The State Rep. by
The Inspector of Police,
All Women Police Station - Arakkonam,
Crime No.16 of 2021.

... 1st Respondent/Complainant

2. Preetha (Minor)
D/o.Late Murugan

... 2nd Respondent/Defacto
Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the record in Crl.M.P.No.7 of 2022 by the learned Special Court for Exclusive Trial of Cases under POCSO Act, 2012 at Vellore, Vellore District and exercise the powers of this Court and set aside the above said order dated 14.03.2022 in Crl.M.P.No.7 of 2022, in which the statutory bail granted u/s.167(2) Cr.P.C. to the petitioner/accused was cancelled the bail granted in Crl.M.P.No.1193 of 2021 dated 15.12.2021 by the learned Special Court for Exclusive Trial of Cases under POCSO Act, 2012 at Vellore, Vellore District.

For Petitioner : Mr.K.Munusamy

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For R1

O R D E R

This Criminal Original Petition filed is under Section 482 of Cr.P.C., to call for the record in Crl.M.P.No.7 of 2022 by the learned Special Court for Exclusive Trial of Cases under

POCSO Act, 2012 at Vellore, and exercise the powers of this Court and set aside the order dated 14.03.2022 passed in CrI.M.P.No.7 of 2022, in which the statutory bail granted u/s.167(2) Cr.P.C. to the petitioner/accused in CrI.M.P.No.1193 of 2021 dated 15.12.2021 by the learned Special Court for Exclusive Trial of Cases under POCSO Act, 2012 at Vellore was cancelled.

2. Learned Additional Public Prosecutor appearing for the 1st respondent would submit that the case is posted before the trial Court on 15..07.2022 for framing charges.

3. Considering the fact that, day to day trial is to be conducted by the trial Court and if any further complaint or statement received from the victim before her examination, it is open to the trial Court to cancel the order afresh. However, considering the fact that the bail has been granted u/s.167(2) Cr.P.C., the order of cancellation of bail is set aside and the trial Court is directed to dispose of the case after charges are framed and conclude the trial within a period of two (2) months.

4. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kas

To

1. The Judge,
The Special Court for Exclusive Trial
of cases under POCSO Act,
Vellore.
2. The Inspector of Police,
All Women Police Station - Arakkonam,
Crime No.16 of 2021.

3. The Public Prosecutor,
High Court of Madras.
Chennai - 600 104.

+1cc to Mr.K.Munusamy, Advocate, S.R.No.44352 (12/07/2022)

CRL.O.P.NO.7932 OF 2022

AK-II(CO)
PBS/08/07/2022