

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.A.NO.480 OF 2022

Saravanan

...Petitioner

Versus

1. The State Rep by,
Deputy Superintendent of Police,
Thiruppathur,
Thiruppathur District.
2. The Inspector of Police,
All Women Police Station,
Thiruppathur,
Thiruppathur District.
3. Sridevi

... Respondents

Prayer :

Criminal Appeal filed u/s.14A(2) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amended Act 2018, praying to set aside the order passed by the Learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore, Vellore District in Crl.M.P.No.170 of 2022 and the same was dismissed on 04.04.2022 and enlarge the appellant on bail in Crime No.2 of 2022 pending on the file of the Inspector of Police, All Women Police Station, Thiruppathur, Thiruppathur District.

For Petitioner	: Mr. E.Kannadasan
For R1 &R2	: Mr.S.Vinoth Raja
	Government Advocate (Crl.Side)
For R3	: No appearance

O R D E R

This appeal is filed aggrieved by the rejection of bail by the Learned Special Judge for Exclusive Trial of Cases under

POCSO Act, Vellore, Vellore District in CrI.M.P.No.170 of 2022 dated 04.04.2022.

2. The allegation in this case is that, the petitioner being the father, during the night, hugged his own daughter and penetrated the vagina with his finger and pressed her breast.

3. The victim child has also given statement before the learned Judicial Magistrate under section 164(5) of Cr.P.C.

4. The learned Government Advocate (CrI. Side) submits that, there are eight witnesses in total to be examined in the present case.

5. Considering the serious nature of the allegation, I am of the view that, this case is an exception to the regular rule of granting bail pending investigation/trial, even though, charge sheet has been filed. It is also seen that already charge sheet has been filed in Spl.S.C.No. 105 of 2022.

6. Accordingly, this petition is dismissed with a direction to the trial Court to expedite the trial, in any case, within a period of five months.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sma

To

1. Deputy Superintendent of Police,
Thiruppathur,
Thiruppathur District.
2. The Inspector of Police,
All Women Police Station,
Thiruppathur,
Thiruppathur District.
3. The Public Prosecutor,
Madras High Court.

4. The Sessions Judge,
Special Court for Exclusive Trial of Cases,
POCSO Act, Vellore.
5. The Superintendent.
Central Prison,
Vellore.

+1cc to Mr. E.Kannadasan, Advocate, S.R.No.33445

Crl.A.No.480 of 2022

RK(CO)
PM/12/07/2022