



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12903 of 2022

SPL.S.C.NO. 75 OF 2020

(ON THE FILE OF SESSIONS JUDGE, SPECIAL COURT FOR EXCLUSIVE TRIAL OF
CASES UNDER POCSO ACT, VILLUPURAM)

SUBASH

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GINGEE, VILLUPURAM.

CRIME NO.NOT KNOWN OF 2021.

For Petitioner : M/S. A.M.RAHAMATH ALI Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

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 25.05.2020 at the hands of the respondent police for the offences punishable under Sections **366 I.P.C r/w 5 (g), 6, 8 of POCSO Act**, in Spl.S.C.No.75 of 2020 and subsequently, charge sheeted for offences under **Sections 366, 376 - D I.P.C, 5 (g), 6, 10 of POCSO Act**, seeks bail.

2.The case of the prosecution is that there are three accused persons have committed gang rape on the victim minor girl aged about 17 years on 23.05.2020. Hence, the complaint was registered as against the petitioner.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and was arrested and remanded to judicial custody on 25.05.2020. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor produced statement recorded under Section 164 Cr.P.C. and it revealed that, three persons in which the first accused called the victim minor girl to provide chudidhar. When the victim girl arrived at the place of first accused, she was put into the car by all the accused persons and one by one committed gang rape on the victim minor girl aged about 17 years. Therefore, the petitioner and other two co-accused have committed very serious offence against the victim girl. Therefore, this Court is not inclined to grant bail to the petitioner. Now, the charge sheet has been filed and taken cognizance in Spl.S.C.No.75 of 2020 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram. The learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram, is directed to complete the trial within a period of six months from the date of receipt of copy of this order.

5.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
09/06/2022

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 SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES,
UNDER POCSO ACT, VILLUPURAM

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GINGEE, VILLUPURAM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

CC to M/S. A.M.RAHAMATH ALI Advocate on payment of necessary
charges

CRL OP.12903/2022

Date :09/06/2022

TA-29/06/2022