

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr1.O.P.No.18865 of 2021

Vignesh

...Petitioner/Accused

Vs.

1.The Inspector of Police,
All women Police Station,
Neyveli,
Cuddalore District,
Crime No.16/2020

..1st Respondent/ Complainant

2.The victim Represented by its
Natural guardian and father Elamvazhuthi
Thambipettai Colony,
T.Palayam Post,
Kurinjipadi Taluk,
Cuddalore District.

...2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition had been filed under Section 482 of Criminal Procedure Code to call for the connected records in Cr1.M.P.No.650/2021 dated 04.08.2021 on the file of Special Court for POCSO Cases, Cuddalore and set aside the same as illegal subsequently to enlarge the Petitioner on bail in respect of Crime No.16/2020 in Spl.S.C.No.12/2021 on the file of Special Court for POCSO Cases, Cuddalore.

For Petitioner	: No Appearance
For Respondents	: Mr.L.Baskaran (for R.1) Government Advocate (Cr1. Side)

ORDER

When the case was taken up for hearing on 14.06.2022, there was no representation on behalf of the Petitioner. Therefore, the case was directed to be posted on 17.06.2022 under the caption 'for dismissal'.

2. Even today (i.e 17.06.2022), when the case came up for hearing, there is no representation on behalf of the Petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the first Respondent submitted that this case was registered against the Petitioner for offences under Sections 354 D, 506(i) I.P.C r/w Section 3 and 4 of the POCSO Act. Subsequently, he had filed a Petition for bail and bail was granted with condition. On release on bail, the Petitioner is alleged to have threatened the child witness. Therefore, the victim girl had preferred the Petition to cancel the bail. Accordingly, the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore, had cancelled the bail. To set aside the order of the learned Sessions Judge, cancelling the bail of the Petitioner, the Petitioner has approached this Court.

4. Considering the submissions of the learned Government Advocate (Crl. Side) and the absence of the learned Counsel for the Petitioner continuously for the previous hearings, the Petitioner is not interested in the outcome of this Petition. Considering the safety of the victim/witness, this is not a fit case to set aside the order of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore, cancelling the bail granted. Hence, this Criminal Original Petition is dismissed. The learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore, is directed to proceed with the trial and dispose of the same as per law.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The learned Sessions Judge, Special Court for Exclusive trial of cases

under POCSO Act, Cuddalore .

2.The Inspector of Police,
All women Police Station,
Neyveli,
Cuddalore District,
Crime No.16/2020

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.18865 of 2021

NR(CO)
SP(30/06/2022)