



Crl.O.P.No.25563 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 17.04.2022, for the offences punishable under Sections 392, 394, 324, 376(2)(m) & 506 (ii) of IPC in Crime No.30 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant is that on 30.01.2022 at about 3.30 p.m., while she was in her agricultural field, an unidentified person, aged about 25 years wearing black colour pant and blue colour shirt, by enquiring about her native place, had grabbed her cell phone, assaulted her with wooden stick and dragged her to the bushes and by covering her mouth had committed rape on her and thereafter, when her grand son come there, the accused had ran away from the scene of occurrence. Due to the assault, the victim sustained bleeding injuries on her private parts and thereafter, she was given first



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aid in the Bahur Primary Health Centre and from there she was taken to the Rajiv Gandhi Womens' Hospital for further treatment. On the complaint given by her, the case has been registered for the offence under Sections 392, 394, 324, 376(2)(m) & 506 (ii) of IPC in Crime No.30 of 2022 and after completion of investigation, the respondent have filed the final report and the case has been taken up for trial in S.C.No.33 of 2022 on the file of the learned II Additional District Judge, Puducherry. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and a false case has been given against him. He would further submit that the petitioner was arrested only based on suspicion on 16.04.2022 and remanded to judicial custody on 17.04.2022. He would also submit that the petitioner is in custody for more than 200 days and he is ready to abide by any stringent conditions that may be imposed on him and hence, he prays for grant of bail to the petitioner.



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4. The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that it is the case where a woman, aged about 63 years while in her agricultural fields, was ravished by the accused, due to which, she suffered serious bleeding injuries and the accused had also robbed the mobile phone from her and later, she was taken to the hospital. He would further submit that the petitioner is an accused in Crime No.846 of 2021(Cuddalore P.S) and while he was returning back after complying with the condition, he has committed the offence. He would also submit that during investigation, it was found that the petitioner is the offender and thereafter, when he was in prison, Identification Parade was conducted, wherein, the accused was identified by the victim and her grand son. He would further submit that there are 36 witnesses in this case and the respondent will complete the trial as expeditiously as possible. Therefore, he vehemently oppose for grant of bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel and also considering the fact that the case is ready for trial, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

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