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CrI.O.P.No. 31000 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 30.10.2022 for the alleged offences under Sections 202, 203, 212 and 229(A) I.P.C. in Crime No.202 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that as per the complaint, on 29.10.2022 at 08.00 p.m. when her husband went to a cinema cheatre in his two wheeler, he did not come back till 06.00 a.m. And that she came to know about a fact that her husband was found with bloodstains near Mangalam lake bund. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the offence. He would submit that he has been falsely implicated in this case for statistical purpose. He would further submit that



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the investigation is almost completed and that the petitioner has been suffering incarceration for more than 46 days from 30.10.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that in order to get back from A1 pending POCSO trial, the accused with the help of his wife, he has lodged a false complaint stating that her husband Manikandan sustained injury in a road accident. For the said drama, the other accused have helped them and they were impleaded under Sec.229 of I.P.C. After the investigation, they have also came to know that wife also played the main role, and for such fraud, a complaint was lodged. He would submit that witnesses were already examined and the trial court yet to complete the trial. He would submit that if they are released on bail, they will tamper the witnesses and hamper the investigation and the investigation is almost completed. Hence, he vehemently opposed to grant bail to the petitioner.



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5. On seeing the facts that this petitioner is arrayed as A1 and he is facing POCSO trial, witnesses were already examined and the trial court is yet to complete the trial after five years. Therefore, if he is released on bail, he would hamper the investigation and tamper the witnesses. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to complete the trial within a period of three months from the date of receipt of copy of this order.

15.12.2022

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