



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3669 of 2022

T.Murugesan

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Alangudi,
Pudukottai District.
(Crime No.09/21).

... Respondent/Complainant

For Petitioner : M/s.Malaikani.S, Advocate.

For Respondent : M/s.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.09/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused is facing a case for the offence under Sections 5(1), 5(n) and 6(1) of the POCSO Act, in Spl. S.C.No.28 of 2021 on the file of the learned Sessions Judge, Mahila Court, Pudukottai in Crime No.09 of 2021 on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner said to have committed sexual assault upon the victim girl. Hence, the complaint.

3.When the matter was taken up for hearing on 23.02.2022, considering the submissions made by the learned counsel on either side, this Court directed the Registry to call a the report from the



learned Sessions Judge, Mahila Court (FAC), Pudukkottai, with regard to the present stage of the case and the complaint of the learned counsel for the petitioner on or before 28.02.2022.

4. In pursuance of the same, the learned Sessions Judge has submitted a report stating that the petitioner/accused had voluntarily filed a requisition for engaging a legal aid counsel and on receipt of the said requisition, this Court addressed the Secretary, District Legal Service Authority, Pudukkottai for appointment of legal aid counsel from the 'B' Panel and accordingly, one Mr. PM. Shaikdeevan 'B' Panel was appointed to conduct the case for the petitioner/accused and that the trial was proceeded and the case is now posted for the proceedings under Section 313(1)(b) of Cr.P.C. He further stated that the accused at no point of time stated that he was willing to appoint a separate counsel.

5. Since the learned Sessions Judge has already examined all the prosecution witnesses and the case is now pending for the proceedings under Section 313(1)(b) of Cr.P.C., this Court is not inclined to grant bail to the petitioner at this point of time. However, the learned Sessions Judge is directed to dispose of the case within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
28/02/2022

/ TRUE COPY /

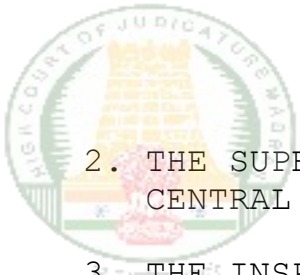
/ /2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SESSIONS JUDGE,
<https://hcservices.ecourts.gov.in/hcservices/>
MAHILA COURT (FAC),
PUDUKKOTTAI.



2. THE SUPERINTENDENT,
CENTRAL PRISON, PUDUKKOTTAI.
3. THE INSPECTOR OF POLICE,
ALL WPMEN POLICE STATION,
ALANGUDI,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.3669 of 2022
Date :28/02/2022

SP/SBN/SAR II/03/03/2022/3P/5C