



CrI.O.P.No. 1134 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 19.09.2022 for the alleged offence under Sections 376AB of I.P.C. and Sec. 5(i) & 5(m) r/w 6 of POCSO Act, 2012, in Crime No.47 of 2019 on the file of the respondent police pending trial in Spl.S.C. No.87 of 2019 on the file of learned Sessions Judge, Mahila Court, Perambalur, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 19.09.2022 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that the petitioner was earlier granted bail and thereafter, he was regularly appearing before the trial Court. On 01.03.2021, he was unable to appear before the Court and subsequently, the learned Magistrate issued non bailable warrant



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against the petitioner, thereby he was detained under PT warrant on 19.09.2022 on execution of non-bailable warrant. He would submit that he is an innocent person and he has been falsely implicated in this case. He would submit that he has not at all committed any offence and he is ready to abide any condition that may be imposed by this court. He would submit that he is ready to appear before the Court regularly and to co-operate for the trial. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that as he was not appeared before the trial court, the learned Magistrate issued PT warrant and subsequently, the petitioner was arrested on 19.09.2022 on execution of PT warrant. He would submit that the petitioner is 73 years old and he absconded for more than a year and now, with great difficulty, he was secured. He would submit that I.O. is completed and the trial is at the stage of questioning under Sec. 313 Cr.P.C. He would submit that they will complete the trial as early as possible. Hence, if he is released on bail, there is possibility of hampering the investigation. Therefore, he vehemently opposed to grant bail to the petitioner.



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5. Considering the above facts and circumstances and also the fact that the petitioner is 73 years old and he absconded for more than a year and with great difficulty, he was secured and the fact that now I.O. is completed and the trial is at the stage of questioning under Sec. 313 Cr.P.C., 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 and dispose the case within a period of four weeks from the date of receipt of copy of this order.

20.01.2023

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