



Crl.O.P.No.3950 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.05.2020 for the offences punishable under Sections 366 of I.P.C read with 5(g), 6, 8 of POCSO Act in Crime No.02 of 2020 on the file of the respondent police, pending trial in Spl.S.C.No.75 of 2020 on the file of the learned Sessions Judge, Special Court for POCSO Act, Villupuram, seeks bail.

2. The case of the prosecution is that on 23.05.2020, A1 had called the defacto complainant, who was aged about 18 years, through her mobile phone called her to come near the land of village to present her a chudidar and when she went there, A1 and A2 said to have committed penetrative sexual assault towards her and A3 did not commit any assault on her. Hence, the complaint.



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3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that he will abide by any condition that may be imposed by this Court. He would also submit that the petitioner has been suffering incarceration from 25.05.2020. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.side) for the respondent police would submit that totally there are three accused in this case and the petitioner is arrayed as A3 and out of witnesses, P.W.1 to 16 were examined and four more witnesses to be examined. He also submitted that trial is almost completed and it is at the end of stage. He further submits that this is the third bail application, if the petitioner is released on bail, he will hamper the investigation and tamper the evidence. Hence, he vehemently opposed for grant of bail to the petitioner.



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5.Considering the facts and circumstances of the case, the investigation is at crucial stage, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed. However, the trial Court is directed to complete the trial and dispose of the case within a period of two months from the date of receipt of a copy of this order.

21.02.2023

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