



Crl.O.P.No.5210 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who was arrested and remanded to judicial custody on 24.12.2021, for the alleged offences punishable under Section 5(j)(ii) r/w Section 6 of POCSO Act, 2012 in Crime No.27 of 2021, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the accused enticed the victim girl, aged 13 years and committed penetrative sexual assault on her, due to which, she became pregnant. Hence the complaint.

3. Learned Counsel for the petitioner submitted that the petitioner is not pressing the bail application. He further submitted that a direction may be issued to the trial Court to complete the trial within a specified time.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail to the petitioner stating that there are totally 28 witnesses in this case, out of which, L.W.1 to L.W.18 have



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been examined as P.W.1 to P.W.18 and the case now stands posted for examination of L.W.19 on 14.03.2023. He further submitted that the respondent would be able to complete the trial as expeditiously as possible and prayed that time may be fixed for completion of trial.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the entire materials available on record including the statement under Section 164 of Cr.P.C recorded from the victim and the charge sheet.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Additional Public Prosecutor and also considering the nature of the offence committed by the petitioner, this Court finds that it is not a fit case for granting bail, thereby, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed. However, the learned Special Judge for exclusive trial of cases under POCSO



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Act, Vellore is directed to complete the trial in Spl.S.C.No.89 of 2022, as expeditiously as possible, within a period of six months from the date of receipt of copy of this order.

13.03.2023

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