



CrL.OP.No.22638 of 2023

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SATHI KUMAR SUKUMARA KURUP.J.,

The Petitioner who was arrested and remanded to judicial custody on 31.08.2023 for the offences under Sections 450, 354(b) of IPC and Section 8 r/w 7 of POCSO Act 2012, in Crime No.62 of 2015 on the file of the respondent police, in Spl.SC.No.84 of 2019 on the file of the Special Court for Exclusive Trial of case under POCSO Act, Chengalpattu, seeks bail.

2. It is a case of jumped bail. The Petitioner was arrested on 31.08.2023 pursuant to the Non Bailable Warrant issued against him.

3. The Learned Counsel for the Petitioner submitted that the Petitioner was regularly appearing before the Court. Thereafter, due to his health issues, he was unable to appear before the Court. The learned Judge ordered Non Bailable Warrant against the Petitioner on 14.08.2023 following which, the Petitioner was arrested on 31.08.2023. The Petitioner has been suffering incarceration from 31.08.2023. He further submitted that the Petitioner is prepared to appear regularly



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before the trial Court and to co-operate for the trial. Hence, he seeks for grant of bail to the Petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the Petitioner/Accused did not appear before the trial Court on 14.08.2023. Therefore, non bailable warrant was issued on the same day. Subsequently, the Petitioner was arrested on 31.08.2023. Now the case is at the fag end of trial and if the Petitioner is released on bail, there is every possibility of the Petitioner absconding and the trial would be stalled. Hence, he vehemently opposed to grant bail to the Petitioner.

5. Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor. Perused the materials available on record including the First Information Report.

6. Taking into consideration the facts and circumstances of the case, the stage of trial and also the submissions made by both counsel, this court is not inclined to grant bail to the Petitioner.



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7. However, the learned Sessions Judge, Special Court for Exclusive Trial of case under POCSO Act, Chengalpattu, is directed to conclude the trial during the period of incarceration of the Petitioner itself.

8. With the above direction, this Criminal Original Petition is dismissed.

29.09.2023

Vv



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