



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8745 of 2023

Siva @ Pramoth

... Petitioner/Accused Rank not known

Vs

The state represented by
The Inspector of Police,
Town South Police Station,
Thanjavur District
(Crime No.130 of 2014).

... Respondent/Complainant

For Petitioner : M/s.Joseph Zinoson.J,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

To enlarge the petitioner on bail in Cr.No.130 of 2014 on the file of the respondent police in the case in SSC 62/2019.

ORDER : The Court made the following order :-

The petitioner /accused rank not known who was arrested and remanded to judicial custody on 10.07.2022 for the offence under Sections 366(A), 343 IPC r/w 6 of POCSO Act in Crime No.130 of 2014, seeks bail.

2. The case of the prosecution is that the petitioner committed sexual assault on the victim girl by promising to marry her.

3. The learned counsel appearing for the petitioner would submit that the petitioner had no motive to do the said crime and he is falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent raised an objection stating that the case is in the stage



of trial and four witnesses were examined so far. Since the petitioner is not cooperating for the trial, the trial could not be completed. Hence, opposed this petition.

5. Taking into consideration the fact that due to the non cooperation of the petitioner, the trial could not be completed and if the petitioner is enlarged on bail, there is a possibility of absconding, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. The trial Court is directed to complete the process of trial within a period of two months from the date of receipt of a copy of this order.

sd/-

17/05/2023

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/05/2023

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

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TO

1. The Principal Special Court for Exclusive trial of Cases under POCSO Act, Thanjavur.
2. The Superintendent, Central Jail, Trichy District.
3. The Inspector of Police, Town South Police Station, Thanjavur District
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Copy to:

- 1 The Registrar(Judicial), Madurai Bench of Madras High Court, Madurai.
- 2 The Section Officer, Criminal Section, Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.8745 of 2023

Date :17/05/2023

SS/MMS/SAR-III/19.05.2023/ **2P/ 7C**

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