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CrI.O.P.No.13076 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.13076 of 2024

Dilli Babu.

... Petitioner

-VS-

1. State Rep. by,
The Inspector of Police,
Selaiyur Police Station,
Chennai – 73.

2. Nisha.

... Respondents

R2 impleaded as per order dated 05.07.2024 in CrI.M.P.No.9680 of 2024 in CrI.O.P.No.13076 of 2024.

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order passed in CrI.M.P.No.65 of 2024 dated 17.04.2024 on the file of the Sessions Judge, Special Court for Exclusive trial of Cases under POCSO Act, Chengalpattu.

For Petitioner : Mr.V.Elangovan

For R1 : Mr.S.Udaya Kumar,
Government Advocate (CrI.Side).

For R2 : Mr.M.Elumalai.



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ORDER

The petitioner herein is an accused in Special S.C.No.42 of 2022 for the POCSO offence was granted default bail. During the bail period, the petitioner threatened the victim and her mother and therefore, case was registered against him and also bail granted was cancelled.

2. Aggrieved by that, the petitioner came before this Court and submitted that already the victim and mother been examined and therefore, the apprehension that he will threat the witnesses does not hold good and sought for interference in the order of the trial Court which has cancelled the bail.

3. This Court granted stay of the operation of the cancellation of the bail order for a period of six weeks and posted the matter on 20.09.2024. Today (i.e, 20.09.2024), the Learned Counsel for the petitioner submits that the petitioner is gone out of contact which implies the petitioner is absconding.

4. The Learned Government Advocate (CrL.Side) for the 1st respondent on instruction states that the petitioner is not attending the Court



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and therefore, the trial is getting delayed.

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5. This Court is convinced that the conduct of the petitioner does not inspire confidence that he will cooperate with the trial. Hence, this Criminal Original Petition is dismissed. The order passed by the trial Court dated 17.04.2024 cancelling the bail is confirmed.

20.09.2024

Index : Yes/No

Neutral Citation : Yes/No

bsm

To:-

1. The Sessions Judge, Special Court for Exclusive trial of Cases under POCSO Act, Chengalpattu.
2. The Inspector of Police, Selaiyur Police Station, Chennai – 73.
3. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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