



CRL OP(MD).No.6330 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6330 of 2024

Pandirajan

... Petitioner/Sole Accused

Versus

The Inspector of Police,
Aruppukkottai All Women Police Station,
Virudhunagar District.
(Crime No.20 of 2023)

... Respondent/Complainant

For Petitioner : Mr.C.Mayil Vahana Rajendiran, Advocate
for Mr.S.Maruthu Pandian, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

To enlarge the Petitioner on Bail in connection with Spl.S.C.No.115 of 2023 on the file of the Special Court for Exclusive trial of cases under POCSO Act cases, Virudhunagar District at Srivilliputhur.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioner in Crime No.20 of 2023 for the offence under Sections 5(m), (n), (k), (1), r/w. 6 of POCSO Act and



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Section 506(i) IPC and remanded him into judicial custody on 13.05.2023. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner has sexually assaulted a 9-year-old mentally retarded girl.

3. Considering the fact that the petitioner was suffering from renal failure and his white platelets count has reduced, this Court, by earlier order dated 26.04.2024, granted interim bail to the petitioner for taking treatment.

4. The learned Additional Public Prosecutor, by producing a report filed by the Assistant Professor, Government Rajaji Hospital, Madurai, submits that the petitioner's health condition has been improved. He further submits that the case is in crucial stage of trial. He further submits that sixteen witnesses have already been examined and two more witnesses, namely, L.W.17-Doctor and L.W.27-Investigating Officer alone have to be examined. Therefore, he opposes for grant of bail to the petitioner.

5. Considering the stage of the trial and the report of the Assistant Professor, Government Rajaji Hospital, Madurai, this Court is not inclined to grant bail.

6. Accordingly, this Criminal Original Petition is dismissed. However, considering the fact that the petitioner is in jail for more than one year, the learned Judge, Special Court for Exclusive trial of cases under POCSO Act cases,



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Virudhunagar District at Srivilliputhur, is directed to take necessary steps to
conclude the trial as expeditiously as possible.

sd/-
05/06/2024

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/06/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2 THE INSPECTOR OF POLICE,
ARUPPUKOTTAI ALL WOMEN POLICE STATION, VIRUDHUNAGAR DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.6330 of 2024
Date :05/06/2024

RS/GS/SAR-(21.06.2024) 3P 5C
Madurai Bench of Madras High Court is issuing
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