



CRL OP(MD). No.6373 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6373 of 2024

Lathif Moulana

... Petitioner/ Accused

Vs

The Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.
(Crime No.363/2018.)

... Respondent/Complainant

For Petitioner : Mr.M.Suresh, 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 petitioners on bail in connection with the Spl.SC.No.323/2018 on the file of the Learned Special Court for POCSO Act Cases at Dindigul.

ORDER : The Court made the following order :-

The petitioner, who is an accused in Spl.S.C.No.323 of 2018 on the file of the



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learned Special Court for POCSO Act Cases at Dindigul, has filed this application seeking bail. The said case was registered for the offence under Sections 120(B), 109, 147, 148, 506(ii) and 302 r/w 149 of IPC in Crime No.363 of 2018 on the file of the respondent police.

2.The final report in the special sessions case was filed in the year 2023. When the case was posted for trial, the petitioner appears to have absconded on 14.09.2023 and therefore, a Non-Bailable Warrant was issued against him and he was arrested only on 01.02.2024.

3.The learned counsel for the petitioner submits that the petitioner went to his relative's funeral, he could not able to appear before the trial Court and hence NBW was issued against him on 14.09.2023. However, his non appearance is neither wilful nor wanton.

4.The learned Additional Public Prosecutor submits that the trial is posted on 06.05.2024 for examination of L.W.1 to L.W.5. He has also raised objections that the petitioner has attempted to come out on bail on thrice and he has six previous cases to his credit.

5.Considering the manner in which the petitioner has appeared before the trial Court and the case is posted for examination of L.W.1 to L.W.5, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judge,
Special Court for POCSO Act Cases,
Dindigul.

2.The Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.

3.The Officer Incharge,
District Prison,
Dindigul.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date :25/04/2024

ED/ JGB /SAR- (06/05/2024) 3P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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