



CRL OP(MD). No.19924 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.11.2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.19924 of 2024

Sritharan

... Petitioner/ Accused 1

Vs

The Inspector of Police,
AWPS - Papanasam,
Thanajavur.
(Crime No.32/2023).

... Respondent/Complainant

For Petitioner : M/s.M.Karunanithi, Advocate

For Respondent : Mr.K.Gnanasekaran

Government Advocate (Crl. Side)

Bail Petition under Section 483 of BNSS 2023.

PRAYER :- For Bail in Crime No.32/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 22.12.2023, for the offence under Sections 5(g), 5(i), 6, 9(g), 9(i), 10, 13(a), 14(1) of POCSO Act in Crime No.32 of 2023 on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/judis> 2. The case of the prosecution is that on 19.12.2023, the accused persons



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had committed sexual assault and harassed the victim, who is aged about 16 years.

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Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is arrayed as A1. He is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 22.12.2023. In this case, statement of the victim was recorded under Section 164 of Cr.P.C. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the accused persons have committed gang rape. In this case, investigation has been completed and final report was also filed before the concerned Court. If the petitioner is released on bail, he may abscond and tamper the material witness. Hence, prays to dismiss the petition.

5. The offence committed by the petitioner is grave in nature. The trial was commenced in Spl.S.C.No.33 of 2024 on the file of the District Judge for exclusive trial of Cases under POCSO Act, Thanjavur, and nearly 20 witnesses have been examined. Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail.

6. Accordingly, this petition stands dismissed. The Learned District Judge for exclusive trial of Cases under POCSO Act, Thanjavur, is directed to complete the



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entire proceedings in Spl.S.C.No. 33 of 2024, within a period of 3-months from the

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date of receipt of a copy of this Order.

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27/11/2024

Sub-Assistant Registrar

Madurai Bench of Madras High Court,

Madurai - 625 023.

KSA

TO

1 THE DISTRICT JUDGE

FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
THANJAVUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE,
AWPS - PAPANASAM,
THANAJAVUR.

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

ORDER IN

CRL OP(MD) No.19924 of 2024

Date :25/11/2024

SA/SAR. /27.11.2024/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.