



WEB COPY



CrI.O.P.No.4565 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4565 of 2025

PRABHU

Petitioner(s)

Vs

The State Rep By, The Inspector Of Police,
AWPS-Rasipuram, Namakkal District.
Cr.No.10/2020.

Respondent(s)

For Petitioner(s): Mr.M.Harirajan

For Respondent(s): Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side).

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 12.10.2020 seeking bail in Crime No.10 of 2020 registered for the offence under Section 5(l), 5(m) read with 6 of POCSO Act



CrI.O.P.No.4565 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner along with the certain other accused committed penetrative sexual assault on two victims, aged about 12 and 13 years respectively.

3. The learned counsel for the petitioner would submit that the allegations are false and improbable; that 12 other accused are said to have committed the sexual assault by paying money to the minor child and that the petitioner is in custody from 12.10.2020 and continuous incarceration is against the fundamental right under Article 21 of the Constitution of India.

4. The learned Government Advocate (CrI.Side) appearing for the respondent, on instructions submitted that the case was split up in Spl.C.C. No.12 of 2021 and separate trial was conducted against the other accused; that the prosecution had closed its evidence in the year 2022, that the petitioner has been delaying the proceedings by filing one petition after the other and hence sought for dismissal.



CrI.O.P.No.4565 of 2025

WEB COPY

5. In reply, the learned counsel for the petitioner submitted that, on reading of the evidence of the witnesses would show that the petitioner is innocent.

6. Considering the aforesaid facts and the gravity of the offence, this Court is not inclined to entertain the bail petition at this stage. However, since the petitioner is in custody and the case is at the defence stage, the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Namakkal is directed to conclude the trial in Spl.C.C. No.12 of 2021 as expeditiously as possible.

7. With the above observations, this Criminal Original Petition is dismissed.

06.03.2025

rkp



WEB COPY



CrI.O.P.No.4565 of 2025

SUNDER MOHAN, J.

rkp

Copy to:

- 1.The Inspector Of Police,
All Women Police Station,
Rasipuram, Namakkal District
- 2.The Sessions Judge,
Magalir Neethimandram (Fast Track Mahila Court),
Namakkal.
3. The Public Prosecutor,
High Court, Madras.

CRL OP NO. 4565 of 2025

06.03.2025