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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.06.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.OP.No.13942 of 2025

J.Anbazhagan

... Petitioner

Vs.

1.State rep. by The Inspector of Police
All Women Police Station,
Anna Nagar, Chennai
Crime No.5 of 2025

2.Sasi Rekha

3. Mohan Kumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 483(3) r/w. 528 of BNSS, 2023, to cancel the bail granted by the learned Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in Crl.MP.No.354/2025 by an order dated 17.03.2025.

For petitioner : Mr.Suresh
for R.Paramasivam
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

This petition has been filed to cancel the bail granted by the learned Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in Crl.MP.No.351/2025 by an order dated 17.03.2025.



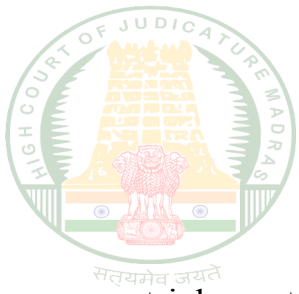
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2. Heard both sides.

3. The respondents 2 and 3 herein were arrayed as A2 and A3. The wife of the petitioner is arrayed as A1. The A1 eloped with the A3 with the help of A2. They also tortured the child who was born to the petitioner and A1. Hence the complaint.

4. On the said complaint, the respondents 2 and 3 were arrested and remanded to the judicial custody on 06.02.2025. The A1 was not granted bail so far and he is still in prison. As far as the respondents 2 and 3 herein are concerned, they were granted bail.

5. Considering the period of incarceration and also their conditions infact the R3 herein got fainted in the accused dock itself and he was taken to the Stanley Medical College and Hospital. Therefore, they were granted bail on certain conditions. Accordingly, the respondents 2 and 3 duly complied with the conditions. However, the learned counsel for the petitioner submitted that the respondents 2 and 3 granted bail on medical ground though they did not produce any medical records before the trial court. That apart, they had given torture to the minor child and the second respondent assisted the 3rd respondent to elope with A1. On perusal of records, it is only on merits and medical ground that the



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trial court granted bail to the respondents 2 and 3. So far as the respondents 2 and 3 did not violate any conditions imposed by the trial court.

6. Considering the above facts and circumstances, this Court finds no grounds to cancel the bail granted to the respondents 2 and 3 herein and this Court is not inclined to cancel the bail granted to the respondents 2 and 3.

7. Accordingly, this Criminal Original Petition is dismissed.

23.06.2025

To

1. The Special Court for Exclusive Trial of Cases under POCSO Act, Chennai
2. The Inspector of Police

All Women Police Station,

Anna Nagar, Chennai
Crime No.5 of 2025

3. The Public Prosecutor

High Court, Madras.



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G.K.ILANTHIRAIYAN.,J.
Gv

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