



Crl.O.P.No.13534 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13534 of 2025

Syed Mohammed

... Petitioner/Accused

Vs.

State rep. by
The Inspector of police,
AWPS Ammapet Police Station,
Salem District.
Crime No.6 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in PRC No.45 of 2025 on the file of Judicial Magistrate, Additional Mahila Court, Salem.

For Petitioner : Mr.C.Deepakkumar
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.01.2025, for the offence punishable under Sections 64(2) (i), 64(2)(k) and 76 of BNS in Crime No.06 of 2025 on the file of the respondent.

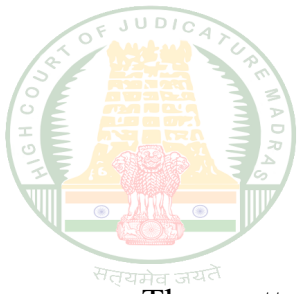


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2. Learned counsel for the petitioner submitted that due to some previous enmity, false complaint has been projected against the petitioner. He further submitted that the investigation in this case has been completed and final report was also filed and the case was taken on file as P.R.C.No.45 of 2025. Hence, he prayed for grant of bail to the petitioner.

3. The learned Government Advocate (CrI. Side) strongly opposed for granting bail to the petitioner stating that the petitioner is aged about 49 years and the victim is aged about 19 years and she is a mentally challenged person and the allegation is that the petitioner took the victim girl into his house, undressed her and committed rape on her. He further submitted that the investigation in this case has been completed, statement of the victim girl under Section 164 of Cr.P.C., was also recorded. He further submitted that, in this case, there are 22 witnesses and though the charge sheet was filed on 25.03.2025 before Additional Mahila Judge, Salem, the trial is yet to be completed, since the post of Additional Mahila Judge, Salem was kept vacant. Thereafter, the learned Judicial Magistrate No.II, Salem (Incharge Judge) took cognizance of the case on 29.03.2025 in PRC No.45 of 2025. Thereafter Additional Mahila Judge, Salem took charge on 02.05.2025.



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The matter came up for hearing on 11.06.2025 for the purpose of committal.

Since the steno is on leave the matter is adjourned to 05.08.2025.

4.Considering the submissions made on either side and on perusal of the materials, this Court is not inclined to grant bail to the petitioner. Hence, the Criminal Original Petition is dismissed.

5.The Committal Court is directed to commit the case to the Court of Sessions and to complete the trial without any delay. There are only 22 witnesses including the Investigating Officer. The trial to be completed within a period of six months from the date of framing of charges.

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rsi/sma

Note:

The Committal Court henceforth not to grant long adjournments unnecessarily. In this case, A1 and A2 are in prison and adjourning the case from 11.06.2025 to 05.08.2025 (3 months) is without any justification. In future such adjournments should be avoided otherwise serious view would be taken.

M.NIRMAL KUMAR, J.

rsi/sma



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To

1.The Inspector of police,
AWPS Ammapet Police Station,
Salem District.

2. The Public Prosecutor,
High Court of Madras.

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