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Crl.O.P.No.17656 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17656 of 2025

Sales Thirukumar

... Petitioner/Accused

Vs.

The Inspector of Police,
W-3 Washermenpet Police Station,
Chennai.
(Crime No.12 of 2020)

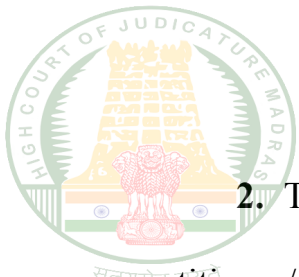
... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in the case pending investigation in Spl.S.C.No.107 of 2021 on the file of the Special Court for the exclusive trial of cases under POCSO Act, Chennai.

For Petitioner : Mr.R.Thamaraiselvan
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.02.2025 in Spl.S.C.No.107 of 2021 on the file of the Special Court for the exclusive trial of cases under POCSO Act, Chennai, under Sections 6 of POCSO ACT and 354(b), 376(3) of IPC Act and 5(n)(l) r/w 6 and Section 9(n)(l) r/w 10 POCSO Act on the file of the respondent police, seeks bail.



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2. The learned counsel appearing for the petitioner submitted that the petitioner/accused is failed to appear before this Court and hence Non-Bailable-Warrant (NBW) issued against him. Subsequently, he was arrested by the respondent Police and remanded to judicial custody on 17.02.2025. He is innocent and has not committed any offence as alleged on the side of the prosecution. No similar bail application filed or pending before this Court. He is ready to abide any condition imposed by this Court and he is ready to produce substantial sureties for his release on bail.

3. Learned Government Advocate (Crl. Side), appearing for the respondent police, reiterated the prosecution's case and opposed the grant of bail to the petitioner. He further submitted that the petitioner/accused is the step father of the victim child aged 13 years, had committed penetrative sexual assault on the victim child. Subsequently, he wantonly not attending the court hearings, absconding from the first hearing itself in the year 2021.

4. Considering the submissions and upon perusal of the materials, it is seen that the NBW was issued on 11.07.2022. The case pertains to the year 2021. Spl.S.C.No.12 of 2019 is pending. Now the case is advanced stage of arguments and the case is to be posted on 16.08.2025.

5. In view of the above, this Court is not inclined to grant bail to the petitioner.



Crl.O.P.No.17656 of _____

6. Accordingly, this Criminal Original Petition is dismissed.

WEB COPY

01.08.2025

nvi

To

1. The Inspector of Police,
W-3 Washermenpet Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.17656 of 2025

M.NIRMAL KUMAR, J.

nvi

Crl.O.P.No.17656 of 2025

01.08.2025