



Crl.O.P.No.18237 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18237 of 2025

Tamizharasi

... Petitioner/Accused

Vs

The State represented by
Station House Officer,
CBCID Cuddalore Police Station,
Cuddalore District.
(Crime No.1 of 2016)

...Respondent/Complainant

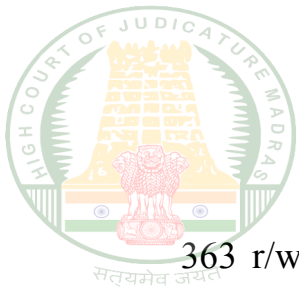
Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in
connection with Spl.S.C.No.22 of 2019 on the file of Special Court for
Exclusive Trial of Cases under POCSO Act, Cuddalore in Crime No.1 of
2016 on the file of the respondent police.

For Petitioner : Mr.K.Vijayakumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.04.2025, for the offences punishable under Sections Girl Missing @ 342,



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363 r/w 34 of IPC and 3(2)(b), 4(1) of Immoral Traffic (Prohibition) Act, 2012 @ Section 366A r/w 34, 372, 373, 370A(1), 354(B), 342 of IPC, Section 3 r/w 4, 5(1) r/w 6, 11 r/w 12 & 16 of POCSO Act, 2012 and Section 3(2)(a), 3(2)(b), 4(1) of Immoral Traffic (Prohibition) Act, 1956, Section 75 of Juvenile Justice Act, 2015 in connection with Crime No.1 of 2016, on the file of the respondent police, seeks bail.

2.The contention of the learned counsel for petitioner is that the petitioner/A8 in Crime No.1 of 2016 was arrested by the respondent on 19.03.2025. He further submitted that in this case earlier on completion of investigation charge sheet filed in S.C.No.20 of 2018. Since the petitioner and her husband could not be secured, the case against them split up. Thereafter, the petitioner and her husband were shown as A8 and A1, respectively in Spl.S.C.No.22 of 2019. He further submitted that in this case A1 was granted bail by this Court.

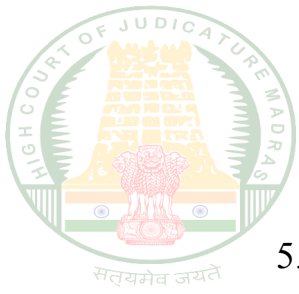
3.The learned Additional Public Prosecutor appearing for the respondent strongly opposed the petitioner's contention submitting that there are totally 23 accused and one Juvenile in this case. Some of the accused



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absconded including the petitioner and her husband, against whom, the case was split up in Spl.S.C.No.22 of 2019, NBW issued in the year 2018 against the accused. After 7 years NBW could be executed on 19.03.2025. He further submitted that the mother case ended in conviction, against which, they filed an appeal before this Court and this Court partly allowed the appeal convicting the pimps and brothel house owner. The petitioner was running a brothel house. He further submitted that in this case there are two victims, who were handled by the accused as a toy and they were forced to brothel at various places and on various dates in an inhuman manner. He further submitted that the case itself can be completed within a period of four months.

4.Considering the submissions made on either side and on perusal of material, it is seen that the alleged occurrence said to have taken place in the year 2016 and the accused were absconding for a considerable time. NBW issued in the year 2018 and thereafter with great difficulty after 7 years NBW could be executed against the petitioner. Now the case in Spl.S.C.No.22 of 2019 is to proceed with trial against the petitioner and her husband. In view of the same, this Court is not inclined to entertain this bail petition.



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5.The learned counsel for petitioner submitted that there is no Presiding Officer in the POCSO Court, Cuddalore.

6.It is made clear that the In-charge Judge or Regular Judge of POCSO Court, Cuddalore to give priority to take up the case and complete the trial within a period of six months from the date of receipt of a copy of this order.

7.With the above direction, the Criminal Original Petition is dismissed.

25.06.2025

rsi

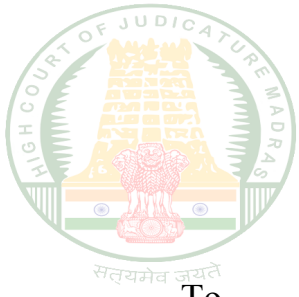
Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Internet: Yes/No

Note: Issue order copy on 30.06.2025



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To
WEB COPY

1.The Special Court for Exclusive Trial of Cases under POCSO Act,
Cuddalore.

2.Station House Officer,
CBCID Cuddalore Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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M.NIRMAL KUMAR, J.

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