



Crl.O.P.No.20684 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20684 of 2025

D.Ellappan

.. Petitioner

Vs.

The State represented by
The Inspector of Police,
All Women Police Station,
Tindivanam, Vilupuram District.
Crime No.22 of 2021

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No.22 of 2021 on the file of the respondent police.

For Petitioner : Mr. S.V.Karthikeyan

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.12.2021, for the offence punishable under Sections 366, 342, 354A, 323, 346, 376(2)(k), 508, 506(2) of IPC and Section 5(l), 6, 7 and 8 of POCSO Act in Crime No.22 of 2021 on the file of the respondent, seeks bail.



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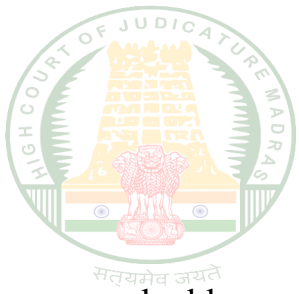
2. The case of the prosecution is that the petitioner along with other accused kidnapped the victim girl and committed rape on her. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that there is no possibility of tampering the witnesses and hampering the investigation, however, he is suffering incarceration from 31.12.2021. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 31.12.2021. On perusal of the statement recorded under Section 164 of Cr.P.C, it is clear that the petitioner along with other accused kidnapped and committed rape on her. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. On perusal of the materials available, it is seen that victim had been examined and she had confirmed her statement recorded under Section 164 of Cr.P.C and also during trial. It is seen that totally 18 witnesses out of which 10



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had been examined and the case has posted for examination of L.W-11 and L.W-

12. This case is at the advanced stage of trial. Hence, this Court is not inclined to grant the relief sought for. Accordingly, the Criminal Original Petition is dismissed.

06.08.2025

To

1. The Sessions Judge,
Special Court for Exclusive trial of Cases under POCSO Act,
Villupuram
2. The Inspector of Police,
All Women Police Station,
Tindivanam, Vilupuram District.
3. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.



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