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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1793 of 2025

Manoj

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by Inspector of Police Railway P.S,
Nagercoil,
Kanyakumari District.
(Crime No.94 of 2019).

... Respondent/Complainant

For Petitioner : Mr.G.Anto Prince, Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in connection with Spl. S.C. No. 74 of 2019 in
Crime No. 94 of 2019 on the file of the respondent police.



ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 28.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ accused was arrested and remanded to judicial custody on 15.09.2024 for the alleged offences punishable under Sections 7 and 8 of POCSO Act, 2012 and 506(1) of IPC and subsequently, the sections are altered to Sections 9(m) and 10 of POCSO Act, 2012 in Spl.S.C.No. 74 of 2019, learned Sessions Judge, Special Court for Exclusive Trail of cases under POCSO Act, Kaniyakumari, in Crime No.94 of 2019 on the file of the respondent police.

3. The case of the prosecution is that on 31.08.2019 at about 03.00 A.M, the petitioner sexually assaulted the victim girl and also threatened her. Hence the case.

4. The learned counsel appearing for the petitioner submitted that there are no previous cases against the petitioner. The petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody since 15.09.2024. He therefore prayed to grant bail to the petitioner.



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5. The learned Additional Public Prosecutor appearing for the respondent police submitted that in this case, so far three witnesses have been examined and the trial will be completed within a period of twenty days from today.

6. Considering the stage of the trial and in view of the submission made by the learned Additional Public Prosecutor, this Court is not inclined to allow this petition.

7. Accordingly, this criminal original petition is dismissed and leave is granted to the petitioner to move a fresh bail petition in case if the trial is not completed within a period of twenty days from the date of this order.

Sd/-
03/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



TO
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- 1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POSCO ACT,
NAGERCOIL,
KANYAKUMARI DISTRICT.
- 2 THE INSPECTOR OF POLICE RAILWAY P.S,
NAGERCOIL,
KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-1321[I] dated 03/02/2025)

ORDER
IN
CRL OP(MD) No.1793 of 2025
Date :03/02/2025

ES/SKN/SAR/26.02.2025/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.