



CRL OP(MD). No.6285 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6285 of 2025

Lal @ Lalu

... Petitioner/Sole accused

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
Palugal Police Station,
Kanniyakumari District.
(Crime No.56 of 2014).

... Respondent/Complainant

For Petitioner : Mr.M.Dhinesh Kumar
Advocate

For Respondent : Mr.K. Sanjai Gandhi
Government Advocate (Crl. side)

PRAYER :-

For Bail in Crime No. 56 of 2014 on the file of the Respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 02.04.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.



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2. The petitioner / Sole accused, who was arrested and remanded to judicial custody on 07.07.2024 for the alleged offences under Sections 3(b) (c) and 4 of POCSO Act, in Spl.S.C.No.10 of 2018 on the file of the Special Judge for POCSO Act Cases, Nagercoil in Crime No.56 of 2014 on the file of the respondent police, seeks bail.

3. The petitioner was absent during the trial in Spl.S.C.No10 of 2018 on the file of the Special Judge for POCSO Act Cases, Nagercoil. Hence, Non-bailable warrant was issued on 03.05.2023 and the same was executed on 07.07.2024. Hence, the case.

4. Mr.M.Dhinesh Kumar, learned counsel appearing for the petitioner submits that the petitioner is a Coolie worker and due to his family poverty, he went to Kerala for his work. While he was in Kerala, the petitioner was suffering some health issues. Hence, he was not able to appear before the trial Court and hence, Non-bailable warrant was issued against him on 03.05.2023 and the same was executed on 07.07.2024. He further submits that the petitioner is in judicial custody from 07.07.2024 and seeks bail.



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5. Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side) appearing for the respondent-Police submits that the petitioner is a sole accused and with a view to drag on the matter, he has come before this court with bail petition. He further submits that the case is posted for arguments before the trial Court on 07.04.2025 and therefore, at this stage, if the petitioner is enlarged on bail, he may abscond and thereby delay the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard both sides and perused the records.

7. The case is posted for arguments before the trial Court on 07.04.2025 and therefore, at this stage, if the petitioner is released on bail, he will abscond and thereby, delay the trial proceedings. Hence, this Court is not inclined to enlarge the petitioner on bail.



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8. Accordingly, this Criminal Original Petition is dismissed.

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE SPECIAL JUDGE FOR POCSO ACT CASES, NAGERCOIL.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL,
NAGERCOIL.
3. THE INSPECTOR OF POLICE,
PALUGAL POLICE STATION,
KANNIYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.6285 of 2025
Date :04/04/2025

VN/12.05.2025 5P/5C

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