

**IN THE COURT OF SESSIONS JUDGE, MAHILA COURT,  
PERAMBALUR.**

**Present: Thiru.S. Giri, B.Sc., M.L.,  
Sessions Judge,  
Mahila Court, Perambalur.**

**Friday, this the 20<sup>th</sup> day of November, 2020.**

**E. Bail No.863/2020**

Sankar, (Age 36/2020),  
S/o. Nagappan,  
Colony Street,  
Kurumbalur Post,  
Perambalur Taluk and District.

... Petitioner/Accused.

-vs-

Inspector of Police,  
All Women Police Station,  
Perambalur.  
Crime No.20/2019.

Offences U/Ss. 363, 371 IPC,  
5(l), 5(m) Pocso Act @ 5(m),  
5(n) r/w 6 of POCSO Act,

... Respondent/Complainant.

\* \* \* \* \*

This petition coming on this day before me for order in the form of e-bail by Thiru. S. Manivannan Advocate for the petitioner and the Special Public Prosecutor for the State and upon perusing the petition objection and other relevant records, this Court has delivered the following...

**ORDER**

1. This petition is filed U/s 439 of Cr.P.C.. before this Court to grant bail to the petitioner / accused herein concerned in Crime

No.20/2019 on the file of All women Police Station for the alleged offences U/Ss. 363, 371 IPC, 5(l), 5(m) Pocso Act @ 5(m), 5(n) r/w 6 of POCSO Act.

2. The case of the prosecution is that this petitioner involved in an offences U/Ss. 363, 371 IPC, 5(l), 5(m) Pocso Act @ 5(m), 5(n) r/w 6 of POCSO Act. Hence a case has been registered against the petitioner.

3. The learned Counsel appearing for the petitioner/accused submitted that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case due to enmity. The Act was revoked by the Hon'ble High Court, Chennai in H.C.P.No.685/2020, dated on 29.10.2020. The petitioner/Accused will not evade trail and he will not tamper any witnesses. At it was taken on file before this court in Special SC. 15/2020 U/s 344 IPC and 5(m), 5(n) r/w 6 of Pocso Act. The petitioner/Accused is a judicial custody more than one year. Already one bail petition was dismissed in E.Bail No.829/2020 dated 09.11.2020. Therefore Petitioner Counsel prays to grant bail to the petitioner.

4. The learned Special Public Prosecutor has stated in reply that the accused was involved in an offence U/Ss. 363, 371 IPC, 5(l), 5(m) Pocso Act @ 5(m), 5(n) r/w 6 of POCSO Act and the accused was arrested and remanded only on 26.10.2019. As the witnesses in this case are being interrogated in the court by giving Spl.Sc.No.15/2020, the Perambalur District Collector has taken action on their orders under Goondas Act and the petitioner is lodged in the Trichy Central Jail. The witnesses have been filed against the accused and issued Spl.Sc.No.15/2020 and is pending in court. Further it is submitted that strongly objected to the granting of bail

to this accused. The accused will tamper with witnesses and hence this petition may be dismissed..

5. Submissions of the petitioner counsel heard and objections of the Special Public Prosecutor also heard.

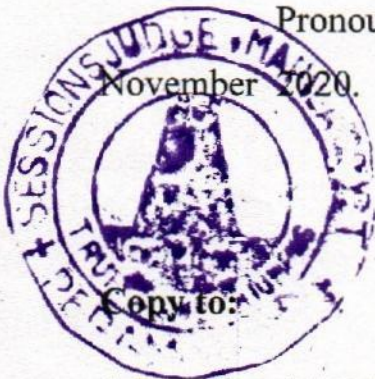
6. Records on hand are perused. It is submitted by the petitioner/accused that the petitioner was already detained under Goondas Act and it was revoked by the High Court of Madras. The Special Public Prosecutor strongly objected to release the accused, stating that the petitioner / Accused will tamper the witnesses and the trial proceedings are going on. It would not be proper to release the accused at this stage.


7. Taking into consideration the facts and circumstances of the case and the strong objection raised by the prosecution and the gravity of the offence and the trial proceedings are going on, this Court is not inclined to release the petitioner/accused on bail at this stage.

Therefore this bail petition is dismissed.

Pronounced by me through E bail, this the 20<sup>th</sup> day of

November 2020.



  
20/11/2020

Sessions Judge,  
Mahila Court, Perambalur.

1. The Special Public Prosecutor, Perambalur.
2. The Inspector of Police, All Woman Police Station, Perambalur.
3. The Advocate for the petitioner.