

CIS-48/2024
Special POCSO Case No. 48/2024
(J.O.Code-WB00859)

Order No. 07
Date: 18.11.2024

The I.O. files the application praying for permission for interrogation of the accused person namely Abed Ali Saha, who is in the judicial custody in Diamond Harbour Sub-Correctional Home.

The said petition has been forwarded by the Ld. Spl. Public Prosecutor.

The Ld. Spl. Public Prosecutor prayed before the Court for allowing the said prayer of the I.O.

It appears that the sole accused person of this case Abed Ali Saha surrendered before this Court on 12.11.2024 and he has been taken into judicial custody. As interrogation of the accused person by the investigating agency is vital in the process of investigation of a criminal case, this Court is of the opinion that the said prayer made by the I.O. for interrogation of the accused Abed Ali Saha should be allowed for the purpose of just investigation of this case.

Accordingly, the prayer for interrogation of the accused Abed Ali Saha in judicial custody is allowed.

The I.O. of this case is permitted to interrogate the accused Abed Ali Saha inside the Diamond Harbour Sub-Correctional Home and the Superintendent of Diamond Harbour Sub-Correctional Home is directed to render appropriate assistance to the I.O. of this case in that regard.

The I.O. of the case has filed another petition through the Ld. Spl. PP praying for collection of sample of the accused person for DNA examination of the same and extension of time for investigation of this case.

The Ld. Spl. PP submitted that as the accused person was absconding, the I.O. could not conclude the investigation of this case within the prescribed period. Accordingly, the said prayer may be allowed.

Considering, the fact that the accused person was absconding till 12.11.2024, the prayer for extension of time for investigation of this case is allowed. However, I.O is directed to expedite the process of investigation and submit the final report as soon as possible. The I.O. is also permitted to collect sample for DNA examination if the same is found necessary for the purpose of just investigation of this case.

To date i.e. 26.11.2024 for production of accused and I.O.'s report.

Let a copy of this order be sent to the Superintendent of Diamond Harbour Sub-Correctional Home for information.

Let a copy of this order be sent to the I.O of this case.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
& Special Court under POCSO Act,
Kakdwip, South 24 Parganas.
(in-charge)

Additional Sessions Judge, 1st Court
& Special Court under POCSO Act,
Kakdwip, South 24 Parganas.
(in-charge)