

Crl.O.P.No.12885 of 2015**R.SUBBIAH, J.**

The petitioner, who was arrested on 07.03.2015 for the alleged offences punishable under Sections 376, 347, 506(i) r/w Section 34 IPC and under Sections 4, 6, & 16 of Protection of Children from Sexual Offences Act, 2012 and under Sections 3, 4, 5 & 7 of Immoral Trafficking (Prevention) Act, in Crime No.89/2014 (Special S.C.No.4/2014) pending on the file of the respondent-Police, seeks the relief of bail.

2.The case of the prosecution is that on 11.04.2014, one Dr.Vidya Ramkumar, Chairperson, Child Welfare Committee (CWC), lodged a complaint stating that on 01.04.2014, the Child Line (1098) had intervened a case of two minor children namely (1)Kasturi D/o.Saravanan & (2)Jayanthi D/o.Annamalai (late), who presented themselves before the Child Welfare Committee seeking shelter and support from sexual abuse. During their counseling, it was revealed that one Ramya (neighhor to victim Jayanthi) introduced both the victims to her friend Gayathri @ Shalitha, who in turn introduced them to the 1st accused-Pushpa. The accused persons Gayathi and Pushpa mixed some drugs/sedative in juices, without the knowledge of the

victims, offered them to drink and sexually exploited them with unknown persons, while they were unconscious. Further, they compelled the victims children to have sexual contacts with several persons by threatening them. Hence, the case has been registered against the accused persons. The statements of the victim children were recorded by the learned Magistrate under Section 164 of Cr.P.C. and test identification parade was also conducted by the learned Magistrate and the petitioner herein was identified by the victim children as an accused person; hence, he was arrested by the respondent-Police.

3.The learned counsel for the petitioner/accused submitted that the petitioner has been falsely implicated in this case. Further, the investigation was almost completed and DNA test was also taken. The learned counsel for the petitioner further submitted that the petitioner is in inside the prison for more than 100 days. Thus, he prayed for grant of bail.

4.The learned Government Advocate (Crl. Side) opposed the grant of bail stating that the petitioner is a Police official and he indulged in heinous crime. However, he submitted that the investigation is almost completed.

5.Considering the facts and circumstances of the case and taking note of the period of incarceration and the fact that the investigation is almost completed, I am of the opinion that bail could be granted to the petitioner by imposing stringent conditions. Accordingly, the petitioner is directed to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two Government sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Pondicherry, and on further condition that the petitioner shall stay at Karaikal and report before the Karaikal Town Police Station daily twice at 10.30 am and 5.30 pm until further orders.

17.06.2015

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