



Crl.O.P.No.21363 of 2022

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A.D.JAGADISH CHANDIRA, J.

The criminal original petition has been filed seeking to enlarge the petitioner herein on bail in Crime No.6 of 2022, on the file of the respondent Police.

2. The case of the prosecution is that the petitioner has raped the victim girl, aged about 22 years, who is 75% visually challenged. Hence the case.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that A1 in this case one Periyasamy has been granted with bail by this Court in Crl.O.P.No.15437 of 2022 dated 07.07.2022. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is arrayed as A2 in this case. He would further submit that the petitioner is related to the victim girl, aged about 22 years, who is 75 % visually challenged. He would further submit that the petitioner had gone to the house of the victim and taking advantage of the victim's blindness had raped her against her will, due to which, she become pregnant. He would also submit that as per the requisition of the victim girl, abortion has been conducted to her and the foetus has also been sent for DNA analysis and the DNA report is awaited. He would also submit that 164 statement has also been recorded from the victim girl. Hence, he vehemently oppose for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the 164 statement recorded from the victim girl.



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6. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner stands on the different footing from the first accused by the specific allegation made against him in the 164 statement recorded from the victim girl, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed for the present.

22.09.2022

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