

Rs.500/- in default to suffer Simple Imprisonment for two months. Both the substantive sentences were directed to run concurrently.

3] The victim in this case is a girl aged four and half, who accidentally happened to reveal to her aunt that some funny thing had happened and elaborated that her PT teacher had licked her and she pointed out towards her chest with the finger.

This incident resulted in the parents confronting the Principal of the School, who assured that the Board of Directors shall be consulted and appropriate action shall be taken.

When repeatedly, the family of the victim girl demanded as to why the teacher is still coming to the school, they took a stand that no action can be taken unless and until the incident is proved.

However, realising the seriousness of the action, which the little girl had undergone, which was sufficient enough to disturb her, the complaint was lodged by the aunt, of the victim to whom the incident was narrated and the statement of the victim as well as other persons to whom the incident was disclosed, were recorded.

4] On being subjected to trial for committing the indecent act, the victim's aunt as well as the victim herself entered into witness box.

The victim girl is consistent in her statement when she narrate the overture on part of the Applicant and by reading a finding that there is no inconsistency in the version and the fact that the girl was categorical in pointing out that the complained act was committed by the present Applicant, he came to be convicted and appropriate sentence has been imposed upon him.

Merely because the Applicant was on bail throughout the trial, is no ground to release him on bail, in the wake of finding being recorded

in the impugned Judgment and upon such finding recorded on the basis of evidence produced by the prosecution, the presumption of innocence is no more available to him, since on the basis of the material, conviction has been awarded alongwith sentence. The loopholes in the prosecution case, which is a ground in appeal, will be appreciated when the Appeal is heard.

In the wake of above, Interim Application stand rejected.

[BHARATI DANGRE, J]