



Crl.O.P.No.13063 of 2023

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**A.D.JAGADISH CHANDIRA, J.**

The petitioner, who was arrested and remanded to judicial custody on 27.03.2022, for the offences punishable under Sections 363, 366, 376(2)(n) of IPC and 5(1), 6 of Protection of Children from Sexual Offences Act, 2012 and Section 9 of Prohibition of Child Marriage Act, in Crime No.84 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the *de facto* complainant is that the petitioner, who is a married man, aged about 29 years, had committed penetrative sexual assault on the *de facto* complainant's minor daughter, aged about 13 years. Hence, the case.

3. Learned counsel for the petitioner submitted that this is the second application for bail filed by this petitioner before this Court and this Court, had dismissed the earlier bail application in Crl.O.P.No.9661 of 2023 vide order dated 05.05.2023. He further submitted that the investigation in this case has been completed and it has also been taken



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up in Spl.S.C.No.124 of 2022 pending on the file of the learned Special Judge for Exclusive Trial of cases under POCSO Court, Vellore. He also submitted that the petitioner is in custody from 27.03.2022, hence he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that this is the second bail application for bail filed by the petitioner and the petitioner's earlier application for bail was dismissed by this Court very recently on 05.05.2023 and this Court, while dismissing the petition, had directed the trial Court to complete the trial within a period of six months from the date of receipt of copy of this order. He further submitted that even before the time period stipulated by this Court getting lapsed, the petitioner filed the present petition, therefore, he prayed for dismissal of the petition.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that this Court has dismissed the petitioner's earlier application for bail very recently on 05.05.2023 with a direction, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

**15.06.2023**

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