



Crl.OP.No.14735 of 2023

Crl.O.P.No.14735 of 2023

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G.CHANDRASEKHARAN.J.,

The petitioners namely Anbu, Abishek, Kavipriyan @ Bomma, who were arrested and remanded to judicial custody on 22.04.2023 for the offences punishable under Sections 341, 324, 394, 397, 376(D) of IPC read with Section 5(g) and 6 of POCSO Act in Crime No.15 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioners submitted that, petitioners are charged for the offences under Sections 341, 324, 394, 397, 376(D) of IPC read with Section 5(g) and 6 of POCSO Act in Crime No.15 of 2023. Petitioners are in Judicial Custody from 22.04.2023. Thus, he seeks bail to the petitioners.

3. In response, learned Government Advocate (Crl. Side) submitted that, petitioners had attempted forcible sexual intercourse with the victim girl and also attacked the victim girl's boy friend. Though, victim girl had not named the accused in the FIR, she had categorically identified the persons by their appearance and the dresses worn by them.



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Subsequently, test identification test was conducted. Investigation is not completed.

4 It is seen from the FIR that, on 25.02.2023, when the victim girl along with her boy friend were travelling in a bike near Durgaiamman Temple, victim girl wanted to attend nature's call and therefore, they stopped the bike. When victim girl entered the barren land, one person wearing violet colour shirt had come there and seized the victim girl's cell phone and her boy friend Gopinath's cell phone and her silver chain and silver ring. When a person wearing white shirt tried to ravish her, Gopinath tried to prevent. However, accused had attacked Gopinath with aruval. Another accused had also attacked Gopinath with Aruval. When victim girl tried to prevent the attack, she had also suffered injuries. A person wearing violet colour shirt removed the victim girl's leggin and innerwear and pressed his penis on the victim girl's private part. His name is Bomma.



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5. The FIR allegations shows that, accused in connivance with each other committed aggravated sexual assault on the victim girl. The statement of the victim girl recorded under Section 164 of Cr.P.C., reiterated the FIR allegations.

6. Considering the nature of the offences alleged to have been committed by the petitioners, which is serious and heinous as against the victim girl, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

07.07.2023

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