



Crl.O.P.No.16949 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner, who was arrested and remanded to judicial custody on 12.10.2020 for the offences punishable under Sections 5(l), 5(m) read with 6 of POCSO Act, 2012 in Crime No.10 of 2020 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in Crime No.10 of 2020 registered for the offence under Sections 5(l), 5(m) read with 6 of POCSO Act, 2012. Petitioner is in judicial custody from 12.10.2020. Thus, he prays for grant of bail.

3. In response, learned Additional Public Prosecutor submitted that, victim girls in this case were subjected to penetrative sexual assault by the accused in this case for over a period of six months. The victim girls apprehending threat from the accused had not informed this incident to any one. However, subsequently it came to light and complaint was given. One of the victim girls had given a statement alleging that Siva, Manigandan, Surya, Prabhu, Oomaiyan Thatha, Mallithatha, Shanmugan,



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Satheesh, Gokul and Tamilselvan had committed penetrative sexual assault against her. Another victim girl had subsequently named that the petitioner was also one of the persons, who indulged in penetrative sexual assault along with other accused.

4. Considering the fact that petitioner is aged 57 years and the victim girls are only 13 years and 11 years old and that prosecution evidence is over in this case, this Court is not inclined to grant bail to the petitioner for the reason that, release of the petitioner at this stage may delay the disposal of the case.

5. Therefore, this Criminal Original petition is dismissed. However, learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) Namakkal is directed to expedite the trial and dispose the case, as expeditiously as possible, preferably within a period of two (2) months from date of receipt of a copy of this order.

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31.07.2023

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