



Crl.OP.No.17847 of 2023

G.CHANDRASEKHARAN, J.

This petition is filed to enlarge the petitioner on bail in the case pending investigation in Crime No.9 of 2023 on the file of the respondent Police.

2.It is the submission of learned counsel for the petitioner that petitioner is falsely implicated as accused in Cr.No.9 of 2023 for the offence under Section 5 (m), 5 (n), 16, 17 of POCSO Act, 2012 and under Section 506 (i) of I.P.C, 1860. He is in judicial custody from 23.04.2023. Thus, this petition is filed for seeking bail.

3.In response, the learned Additional Public Prosecutor submitted that petitioner/Manivannan is the second husband of second accused/Savitha, who is the mother of victim girl. Victim girl had also given Section 164 Cr.P.C. statement confirming to the sexual assault committed by the petitioner against her.

4.Considered the rival submissions and perused the records.



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G.CHANDRASEKHARAN, J.

5.This Court finds from the Section 164 Cr.P.C statement of the victim girl that, petitioner had committed penetrative sexual assault against the victim girl.

6.Considering the nature of the offence committed by this petitioner against the victim girl who is aged eleven years and that petitioner is aged twenty-nine years, this Court is of the view that if the petitioner is released on bail, there is a possibility of threatening the witness and hampering the fair trial. Investigation in this case is not completed. Thus, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

07.08.2023

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