



Crl.O.P.No.19928 of 2023

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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 the 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. This is the second bail petition filed by the petitioner. However, he prays for dismissal of this petition.



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4. Considered the submissions and perused the records.

5. Earlier bail petition was dismissed by this Court in Crl.O.P.No.19928 of 2023 on 07.08.2023, for the reason that,

(i) Petitioner is the step-father of the victim girl, who is aged 11 years and had committed penetrative sexual assault against her.

(ii) Investigation in this case was not completed.

5.1. When the matter is taken up today, learned Additional Public Prosecutor submitted that, investigation in this case is completed and final report is filed.

6. Though investigation in this case is completed and final report is filed, considering the nature of the allegations made against the petitioner, that petitioner had instead of protecting the victim girl as step-father, had committed penetrative sexual assault against her and if the petitioner is released on bail, there is a possibility of threatening the



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witnesses and tampering the evidence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

30.08.2023

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