



Crl.OP.No.21280 of 2023

Crl.O.P.No.21280 of 2023

C.V.KARTHIKEYAN,J.

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The petitioner seeks anticipatory bail in Crime No.33 of 2023, registered under Sections 9 (m) r/w 10 of the Protection of Children from Sexual offences Act, 2012, on the basis of a complaint given by the mother of the victim child. It is stated that the alleged offences had taken place on 20.08.2023.

2. It is the case of the prosecution that the victim child, who is aged just ten years and studying in a school, was called over by the petitioner herein by saying that he would give chocolate and he later committed the offences, which attracts Sections 9 (m) r/w 10 of the Protection of Children from Sexual offencess Act, 2012.

3.It is the contention of the learned counsel appearing for the petitioner herein that the petitioner is a Senior Citizen of advanced age and has serious medical ailments, which prevented him from working and it is also contented that there was a motive for the father of the victim child to implicate the petitioner since the father was found selling lorry tickets unlawfully infront of the house of the petitioner and this was informed to the police officials. It is



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contended that owing to the physical condition of the petitioner herein, it would be extremely impossible for him to commit the offences stated above.

4.The offences said to have been committed does not require a person to stand, work or even to move around. It is sufficient that the person sitting down could have committed the offences as alleged by the victim child. The victim child had been examined under Section 164 (5) Cr.P.C. and in the course of her statement, she had very clearly reiterated the offences which had been inflicted on her by the petitioner herein. This would belie the contention of the learned counsel that the father of the victim child had a motive. Now, the victim child had herself spoken about the incident.

5.In view of that particular fact, I am not inclined to grant anticipatory bail to the petitioner. The victim child has to be given necessary protection for tendering the evidence before the Court. Accordingly, this Criminal Original Petition is dismissed.

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17.11.2023

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