



CrI.OP.No.21457 of 2023

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G.CHANDRASEKHARAN.J.,

The petitioner namely Vignesh, who was arrested and remanded to judicial custody on 02.01.2023 for the offences under Sections 363 of IPC and 5(m), 6 of Protection of Children from Sexual Offences Act in Crime No.01 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent person and he has been falsely implicated in a case registered in Crime No. 01 of 2023 for the offence under Sections 363 of IPC and 5(m), 6 of Protection of Children from Sexual Offences Act. Petitioner is in Judicial Custody from 02.01.2023. Thus, he seeks bail to the petitioner.

3.In response, the learned Additional Public Prosecutor submitted that, defacto complainant gave a complaint alleging that, she has a daughter aged about 7 years and a son aged about 5 years. Her husband had gone to temple. On 01.01.2023, she was with her children in her mother-in-law's house. Her daughter came at about 03.p.m., Then



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she asked for lunch. When defacto complainant offered lunch, she refused to take lunch. When she asked the victim girl as to why she was sad, she told that, one Vignesh had taken her for fishing and committed penetrative sexual assault against her. Therefore, complaint was given. The statement of the victim girl under Section 164 of Cr.P.C., was recorded and the medical examination was also over.

4. The statement of the victim girl under Section 164 of Cr.P.C., reiterates the FIR allegations stating that petitioner had committed penetrative sexual assault against the victim girl. Though, investigation in this case is completed and it is pending in Spl.S.C.No.14 of 2023, considering the nature of the offence alleged to have been committed by the petitioner against the victim girl aged about 07 years and that if the petitioner is released on bail, there is a possibility that petitioner may threaten the witnesses and tamper the evidence, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.



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However, the learned trial Judge is directed to dispose the case as expeditiously as possible.

19.09.2023

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