



Crl.O.P.No.21981 of 2023

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V. SIVAGNANAM, J.

The petitioner, who was arrested and remanded under judicial custody on 27.11.2022 for the alleged offences under sections 5(1), 5(r) r/w.6 of POCSO Act and u/s.450, 376(1), 354(B), 307 IPC in Crime No.10 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, with an intention of committing rape on the minor victim girl, trespassed in to her house when she was alone in her house, at 4.00 p.m., and poured PVC pipe solution on her and wrongfully restrained her and assaulted her by dashing her head against the floor, due to which, she sustained injuries on her head and became unconscious, at that time, the accused committed penetrative sexual assault on her.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is nothing to do with the offence. The petitioner's earlier bail application was dismissed by this court and this is



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the second bail application. He further submitted that investigation is almost completed and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Govt. Advocate (crl.side) appearing for the respondent police submitted that in this case, so far 26 witnesses have been examined. The petitioner has poured PVC pipe solution on the minor victim girl and caused injuries on her body and committed rape on her. He further submitted that considering the heinous nature of the offence, his earlier bail application was dismissed. This is the second bail application. Thus he prayed for dismissal of this bail application.

5. Heard the learned counsel for the petitioner and the learned Govt. Advocate (crl.side) for the respondent Police and perused the materials available on record.

6. Considering the gravity of the offence alleged against the



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petitioner and investigation is still pending and there is no change of circumstances, this court is not inclined to grant bail to the petitioner.

Hence this petition is dismissed.

26.09.2023

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26.09.2023