



Crl.O.P.No.21933 of 2023

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**C.V.KARTHIKEYAN, J.**

The petitioner had been arrested consequent to the registration of FIR in Crime No.189 of 2023 by the respondent police for the offences punishable under Sections 376(2)(j), 376(2)(i), 376(2)(n) and 506(ii) of IPC and remanded to judicial custody on 31.07.2023, on the complaint given by the parent of the victim.

2. It is the case of the prosecution that the victim is a mentally challenged person from birth. The petitioner used to take the victim for coolie work in his motorcycle and after completion of work, he brought back and dropped in her house. While so, on 21.07.2023, her lower abdomen was found swelling, hence, she was taken to the hospital for treatment. After examination, the Doctors informed that she was eight month pregnancy and on enquiry, she revealed that the petitioner has forcibly committed rape on her and also threatened her not to disclose the same to anyone. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submitted that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent stated that the defacto complainant is a mentally challenged person and the petitioner has forcibly committed rape on her and also threatened her not to disclose the same to anyone, due to which, the victim is eight month pregnancy. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the gravity of offence committed by the petitioner and also taking note of the fact that the investigation has not yet been completed and charge sheet has not been filed, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

**03.10.2023**

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