



CrI.OP.No.23831 of 2023

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WEB COPY

C.V.KARTHIKEYAN, J.

The petitioner who was arrested and remanded to judicial custody on 19.08.2023 for the offence under Sections 5(1), 5(j)(ii) r/w 6(1) of POCSO Act, 2012 on the file of the respondent Police, in Crime No.16 of 2023, seeks bail.

2.It is stated that the petitioner is the sister's husband of the victim child. The complaint had been lodged by the mother of the victim child. When the victim child was admitted to hospital on complaint of stomach pain, it was informed that she was 15 weeks' pregnant. Thereafter, the complaint was given and the First Information Report had been registered.

3.The statement under Section 164 Cr.P.C has been recorded from the victim child.

4.It is only appropriate that the victim child tenders evidence before the claim of the petitioner to grant bail is considered. It is also imperative that the DNA test is conducted of the foetus in the womb of the victim child.



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vkr

5.Let all the tests be made. At this stage, this Court is not inclined to grant bail to the petitioner.

6.Hence, this Criminal Original Petition stands dismissed.

17.10.2023

vkr

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