



Crl.O.P.No.25093 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/A1, who was arrested and remanded to judicial custody on 09.08.2023 for the offence punishable under Sections 342, 506(1) of IPC and 9(1), 9(P) r/w Section 10 of POCSO Act and Section 75 Juvenile Justice Act in Crime No.24 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.08.2023, the defacto complainant had given a complaint stating that the petitioner is a saint and running Sivabalan Thonda Ulavara Thiru Koottam Trust and the sons of defacto complainant had joined in the Trust for religious purposes. It is also stated that the petitioner had sexually abused the two minor sons of the defacto complainant. Hence the case was registered against the petitioner.

3. It is however contended by the learned counsel for the petitioner that the petitioner herein had given a complaint, which had been registered in Crime No.263 of 2023 on 10.08.2023, against the cousin brother of the defacto complainant and others. It is also stated that



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there was previous enmity with respect to running of the Trust and therefore, a false case has been foisted against the petitioner.

4. The statement recorded from the two children had been forwarded to this Court and a perusal of the same would only enforce the opinion that it would only be appropriate that the petitioner is still kept under restraint, at least till the trial process starts and evidence is recorded.

5. It is stated that earlier bail application filed by the petitioner had been dismissed on 06.10.2023 and on that date also, this Court had held that the trial process should start and evidence is recorded. As on date, even final report has not yet been filed. It has been made ready but has not yet been filed. Therefore, till the evidence of victim and the defacto complainant are recorded, it is only appropriate that the petitioner is restrained and bail is denied.

6. Accordingly, This Criminal Original Petition stands dismissed.

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