



Crl.O.P.No.25839 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A4 who was arrested and remanded to judicial custody on 02.07.2023 for the offences punishable under Sections 376(D) and 506(1) of IPC read with Section 5(g) and 6 of the POCSO Act, 2012 in Crime No.06 of 2023 on the file of the respondent police, seeks bail.

2. There are totally twelve accused. The petitioner is A4. Among the 12 accused there are also five juveniles. There are three victims. The learned counsel states that one of them had crossed the age of 18 years, but that does not mean that the offence under Section 376(D) IPC would not lie. Even on the previous hearing date, when I dismissed the earlier bail petition on 16.10.2023, it had been stated that the victim children should be examined and thereafter, if there is change in circumstances, a fresh petition can be filed.



C.V.KARTHIKEYAN, J.

smv

3.The learned counsel for the petitioner states that the change in circumstances is that, in the final report there is no specific allegation against the petitioner herein.

4.It is stated that none of the victim children had spoken about the role of the petitioner, which will be evident on a perusal of the copies received under Section 207 Cr.P.C. But the evidence in Court is crucial. Let that stage be crossed and if still there is no evidence, certainly the Court will consider the application of the petitioner herein.

5.At this stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

10.11.2023

smv

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