



Crl.O.P.No.27284 of 2023

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WEB CO **C.V.KARTHIKEYAN, J.**

The petitioner/A1 seeks bail in Crime No.133 of 2023, registered by the respondent for the offences punishable under Sections 294(b), 323, 324, 147, 148 of IPC and Sections 7, 8 of POCSO Act, 2012. The petitioner had been remanded to judicial custody on 26.09.2023.

2.The learned counsel for the petitioner stated that the occurrence is said to have happened on 12.07.2023 and the FIR had been registered on 14.07.2023. It is stated that when the victim child had undergone puberty function, the accused had misbehaved with her.

3.The learned counsel for the petitioner stated that it was only natural the petitioner had expressed his views to the victim child. However, the statement under Section 164(5) Cr.P.C., of the victim child had been recorded and she had very clearly stated about the nature of offence committed.



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4.This is the second application seeking bail. The earlier application in Crl.O.P.No.25672 of 2023 had been dismissed on 09.11.2023. One change in circumstances is that final report had been filed. Taking into consideration the period of incarceration, a direction is issued to the Magalir Neethimandram (Fast Track Court), Namakkal, to take cognizance of the final report filed, if it is otherwise in order, with respect to Crime No. 133 of 2023, frame charges and record the evidence in chief and cross examination of the defacto complainant. If that process is over, the application for bail can certainly be considered.

5.At this stage, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed. The learned Trial Judge may endeavor to complete the process as quickly as possible without any delay provided the counsel for the accused also co-operates.

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11.12.2023

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