



CrI.O.P.No.442 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners who were arrested and remanded to judicial custody on 13.08.2023 for the offences under Sections 342, 376A & B, 506(i) of IPC and Sections 5(l), 5(m) r/w 6 of POCSO Act, in Crime No.4 of 2023, on the file of the respondent Police, seek bail.

2.A copy of the statement under Section 164(5) Cr.P.C recorded from the victim girl has been produced before this Court wherein it had been stated that both the accused had repeatedly committed penetrative sexual assault on her, a young child.

3.It is contended by the learned counsel for the petitioners that the investigation has been completed.

4.It is a fact that the investigation has been completed and final report had been filed and the same had been taken cognizance as Spl.S.C.No.110 of 2023. However, the victim child and the defacto complainant have not been examined. They are both categorized as vulnerable witnesses.

5.The learned counsel for the petitioners stated that there is no Presiding Officer in Mahila Court, Tiruppur.



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6. But I am confident that there would be some Sessions Judge who has been placed in-charge and would record evidence.

7. In view of that, I am not inclined to grant bail to the petitioners.

8. Hence, this Criminal Original Petition is dismissed.

26.02.2024

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