



Crl.O.P.No.4135 of 2024

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C.V.KARTHIKEYAN. J.

The petitioner seeks bail in Crime No.7 of 2020 for the offences under Sections 366A, 376AB, 354A(2) of IPC and Sections 3(a) r/w 4, 5(m) r/w 6 of POCSO Act 2012 @ Sections 363, 366, 354(A)(ii), 376AB of IPC and Section 11(i) r/w 6 of POCSO Act, 2012.

2.It is stated that the victim child was studying in 3rd standard and she was kidnapped by the petitioner and sexually harassed. Thereafter, the petitioner had the benefit of bail being granted. On two earlier occasions, Non Bailable Warrant had been issued and for a third occasion, Non Bailable Warrant was issued on 21.09.2023 and the petitioner was secured only on 04.12.2023.

3.This act of the petitioner absconding from judicial process would only terrorize the victim child who is yet to depose before the Court.

4.Trial is now pending in Spl.S.C.No.123 of 2020 before the Special Court for POCSO cases, Tiruvannamalai.

5.A direction is given to the learned Sessions Judge, Special Court for POCSO cases, Tiruvannamalai, if the counsel for the accused



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co-operate, to endeavour to record the evidence of the victim child and the defacto complainant. This would include both chief examination and cross examination. If the counsel for the accused co-operate during the trial, then the petitioner's application seeking bail can be considered.

6.At this stage, I am not inclined to grant bail to the petitioner.

7.Hence, this Criminal Original Petition stands dismissed.

21.02.2024

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