



CrI.O.P.No.10819 of 2024

T.V.THAMILSELVI, J.

This Criminal Original Petition has been filed by the petitioner/accused, who was arrested and remanded to judicial custody to 09.04.2024, seeking bail in Crime No.2 of 2024 registered for the alleged offences punishable under Sections 451, 323, 376(1), 376(2)(l) and 506(i) of IPC.

2. Learned counsel appearing for the petitioner submitted that this is the second application for bail filed by the petitioner before this Court and this Court had dismissed the earlier bail application filed by the petitioner in CrI.O.P.No.9269 of 2024 vide order dated 16.04.2024. He further submitted that the petitioner is in custody from 09.04.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for granting bail to the petitioner.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that the petitioner/accused, who was the neighbour of the de facto complainant, had trespassed into the house of the de facto complainant and committed penetrative sexual assault on his daughter, who is hard of hearing and non-verbal. He further submitted that now the victim girl is 8 months pregnant and the statement under Section 164 Cr.P.C has also been recorded from her. Therefore, if he is released on bail, there is a possibility of him absconding and also threaten the victim girl and her family. He also submitted that the petitioner's earlier bail application was dismissed by this Court on 16.04.2024 and there is no change in the circumstances.



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4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.

5. Considering the submissions made by the learned Government Advocate (Crl.Side) that there is no change in the circumstances, taking note of the statement recorded from the victim girl under Section 164 Cr.P.C., and also considering the conduct of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

07.06.2024

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