



Crl.O.P.No.27355 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner seeks anticipatory bail in Crime No.11 of 2023 registered by the Respondent Police for the offences under Section 366 IPC and subsequently, altered to Sections 366 and 342 IPC read with Section 8 of Protection of Children from Sexual Offences Act, 2012.

2. The learned Government Advocate (Criminal Side) stated that the complaint had been lodged by the mother of the victim child. The statement of the victim child had been recorded under Section 164(5) of Code of Criminal Procedure. He also stated that the investigation has been completed and charge sheet has also been filed. It is stated that during the course of investigation, notice under Section 41A had been issued to the Petitioner herein, who also appeared and a medical test had been taken.

3. The Respondent had however filed the charge sheet by not showing the Petitioner as absconding since he had not been neither arrested and had granted bail nor he had been granted anticipatory bail, but on the basis of his appearance under Section 41A of Code of Criminal Procedure.



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4. This Criminal Original Petition seeking anticipatory bail stands dismissed but however the Petitioner can take advantage of Rules 22 and 24 of Criminal Rules of Practice and he may appear before the Court on issuance of fresh summons and he may produce necessary sureties and if the learned Judge is satisfied about the bonafide, appropriate orders may be passed.

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