



Crl.O.P.No.28452 of 2023

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**C.V.KARTHIKEYAN, J.**

The petitioner/A1, who was arrested and remanded to judicial custody on 24.09.2023 for the offences punishable under Sections 376, 506(i) IPC and Sections 5(1), 5(j)(ii), 6, 11(4) r/w Section 12 of Protection of Children from Sexual Offences Act, 2012 in Crime No.12 of 2023, seeks bail.

2.The learned counsel for the petitioner stated that the petitioner is aged 27 years and the victim is aged 17 years. The petitioner wanted to put forth his relationship with the victim child. Unfortunately in the statement under Section 164(5) Cr.P.C., of the victim, she had stated that she had initially went over to the petitioner when he called her, trusting him as her brother, but later the petitioner had committed the offences complained of.



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3. Earlier petition seeking bail in CrI.O.P.No.25439 of 2023 had been dismissed on 17.11.2023 and it had been observed that the evidence of the victim child must be completed. It is now stated that the final report had been filed through online, but had not yet been taken cognizance.

4. A direction is given to the learned Sessions Judge For Exclusive Trial of Cases Under POCSO Act, 2012, Vellore, to examine the final report in Crime No.12 of 2023 registered by the respondent police and if it is otherwise in order, take it on file and examine the victim child at the earliest.

5. The learned counsel for the accused should also conduct the cross-examination immediately.

6. The process of chief and cross-examination of the victim child should be completed on or before 15.02.2024.



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7. At this stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed. Depending on the nature of evidence, the petitioner is given liberty to file a fresh petition seeking bail.

03.01.2024

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**Copy to:-**

The learned Sessions Judge, Special Court For Exclusive Trial of Cases Under POCSO Act, 2012, Vellore.



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**C.V.KARTHIKEYAN, J.**

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