

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore

Special Case No. 22/19

Ref.: Haridevpur PS Case no: 32/19 Dated : 27.01.2019
U/s 12 of the Protection of Children from Sexual Offence Act, 2012.
Present : Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

StateVs....Tapas Halder

Order No.01

Dt.28.01.2019

Received the written FIR and formal FIR, Inspection Memo, Memo of arrest and other documents along with forwarding in connection with the above mentioned PS case no.

Register the same as Special Case.

Accused Tapas Halder is brought under arrest along with relevant documents. He is taken into judicial custody.

Bail petition of this accused person has been moved by his ld. Advocate along with vokatatnama.

Copy served. Objection noted.

Ld. Lawyer of accused submits before this Court that this accused person has been falsely implicated in this case and he is suffering from nerve problem. So he prays for bail to this accused person.

Ld.Special P.P opposed the bail petition sumitting that it is initial stage of investigation and I.O is praying for P.C of this accused person for purpose of investigaion and for spot verification till 06.02.2019. Ld. Special P.P further submitted before this Court that there is prayers of the I.O for recording statements of victim girl.

Heard Ld. special P.P as well as the I.O. Perused the materials on record.

On perusal of record, I find that it is initial stage of investigation and question of granting bail to this accused person does not arise at this stage as because it is a case u/s 12 of the Protection of the Children from Sexual Offences Act. 2012. Accordingly bail petition of this accused person is rejected at this stage.Prayer of the I.O for police custody of the accused is allowed for sake of investigation. Accused be remanded to P.C till 04.02.2019.

Investigating Officer is directed not to torture this accused person in police custody. He is also directed to get this accused person examined by Government Medical Officer at the conclusively of 48 hrs. He is also directed to obey the guide line of Hon'ble Supreme Court in this regard.

Prayer of the I.O for recording statements of victim girl is considered and allowed.

Ld. A.C.J.M., Alipore is requested to record the statements of victim girl u/s 164 Cr.P.C either personally or by deputing any ld. lady Magistrate under his control to record the same in connection with this case as early as possible.

The I.O. of this case is directed to produce the victim girl on the date,time and place, as fixed by the concerned offices.

To 04.02.2019_for production of accused from P.C.

D/c by me.
Sd/-Srikumar Goswami
Judge-in-Charge, Special Court &
2nd A.S.J., Alipore.

Sd/-Srikumar Goswami
Judge-in-Charge, Special Court &
2nd A.S.J., Alipore.

Later Order No. 01 dated 28.01.2019

The record is being sent to Ld. AC.J.M, Alipore for recording the statement of victim girl u/s 164 of Cr.P.C, Hence skeleton record is opened.

To date (i.e 04.02.2019) for production of accused from P.C.

D/c by me.
Sd/-Srikumar Goswami
Judge-in-Charge, Special Court &
2nd A.S.J., Alipore.

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