

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

Special Case No. 105/19

Ref.:Goriahat PS Case no: 158/19 Dated : 25.06.2019

U/s 366A/370/120B I.P.C read with section 4/17/21 of the Protection of Children from Sexual Offence Act, 2012 and section 3/4/5/7/18 of I.T (Prevention) Act.

Present : Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

StateVs....Krishnendu Chatterjee & others

Order No.01

Dt.26.06.2019

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 Krishnendu Chatterjee, Mousumi Chatterjee @ Mita, Suresh Kr. Prushty and Arata Prusty are brought under arrest along with relevant documents. They are taken into judicial custody.

Bail petition of accused Krishnendu Chatterjee and Mousumi Chatterjee @ Mita, have been moved by their ld. Advocate along with fresh vokalatnama.

Copy served. Objection noted.

Ld. Lawyer of accused Krishnendu Chatterjee and Mousumi Chatterjee @ Mita submits before this Court that these accused persons have been falsely implicated in this case. So he prays for bail to the accused persons.

Bail petition of accused Suresh Kr. Prushty and Arata Prusty has been moved by his ld. Advocate along with fresh vokalatnama.

Copy served. Objection noted.

Ld. Lawyer of accused Suresh Kr. Prushty and Arata Prusty submits before this Court that these accused persons are innocent and have been falsely implicated in this case. So he prays for bail to these accused persons.

Ld. Special P.P opposed the bail petition submitting that it is initial stage of investigation and I.O is praying for P.C of these accused persons till 09.07.2019 for purpose of investigation. Ld. Special P.P further submitted before this Court that there are prayer of the I.O for Medico-legal examination of accused and victim girls and ossification test of the victim girls.

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 these accused persons does not arise at this stage as because it is a case u/s 366A/370/120B I.P.C read with section 4/17/21 of the Protection of Children from Sexual Offence Act, 2012 and section 3/4/5/7/18 of I.T (Prevention) Act. Accordingly bail petition of these accused persons are rejected at this stage. Prayer of the I.O for police custody of these accused persons is allowed for sake of investigation till 06.07.2019. Accordingly accused be remanded to P.C till 06.07.2019.

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

Prayers of the I.O for Medico-legal Examination of accused and four victim girls and ossification test of four victim girls are considered and allowed.

The A.C.M.O.H. (Medico Legal), Alipore is directed to conduct the medical examination of the accused persons and victim girl at the earliest.

The Professor & Head of Department of Forensic Science and State Medicine, Calcutta Medical College & Hospital, Kolkata is directed to hold the ossification test on victim girls and send the report as early as possible.

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

To date (i.e 06.07.2019) for production of accused from P.C.

D/c by me.

Sd/-

Sonia Majumdar
Judge, Special Court &
2nd A.S.J., Alipore.

Sd/-

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Judge, Special Court &
2nd A.S.J., Alipore.