

Crl. O.P. No.12685 of 2021**V.BHAVANI SUBBAROYAN, J**

The petitioner, who was arrested and remanded to judicial custody on 13.12.2020 for the alleged offences punishable under Section 6 of POCSO Act and Section 5(1)(a)(i) of ITP Act of in Crime No.18 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the photographer by profession and he is having friendship with the co-occused, due to which, he exploited the victim girl who was pushed into prostitution by the co-accused. Hence, the Complaint.

3. The learned counsel for the petitioner submitted that the petitioner is in no way connected with the alleged offence and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that earlier, the petitioner herein had already filed Crl. O.P. No.7692 of 2021 seeking for

bail for the aforesaid alleged offences. However, this Court by its order dated 23.04.2021 dismissed the same considering the offence is of grave nature and also the petitioner's earlier bail application before the Court below was dismissed. Thereafter, the petitioner has preferred the present petition for the second time seeking for bail for the alleged aforesaid offences.

5. It has been further submitted that the victim girl is aged about 13 years old who has been pushed into prostitution and the petitioner is one of the customers who had exploited the victim girl knowing that she is a minor. Further, final report has been filed and some of the accused are still absconding and NBW is pending against them. Hence, he vehemently opposed for granting bail to the petitioner by submitting statement of the victim recorded through Video conference.

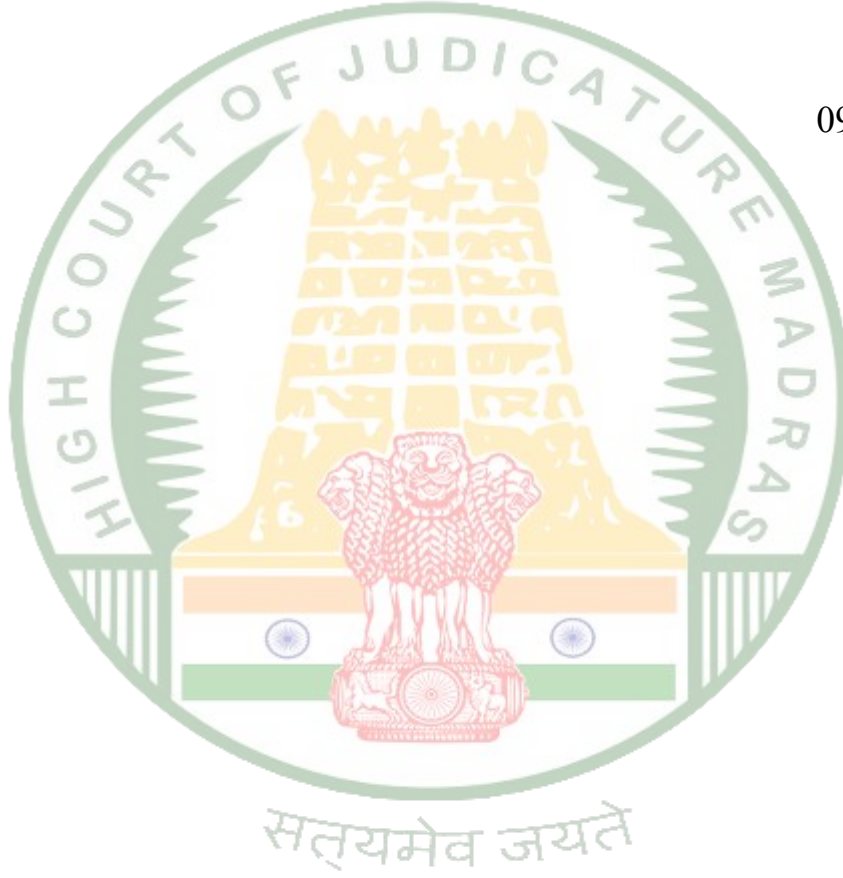
6. On a perusal of the statment of the victim, it is seen that the victim has been exploited by her family members in a few days after attaining puberty. If the bail is granted to the petitioner, such incidents would reoccur and hence, this Court is not inclined to grant bail to the petitioner at this point of time

when there is no change of circumstances in the said case and the offence is of grave in nature.

7. Accordingly, the Criminal Original Petition is dismissed.

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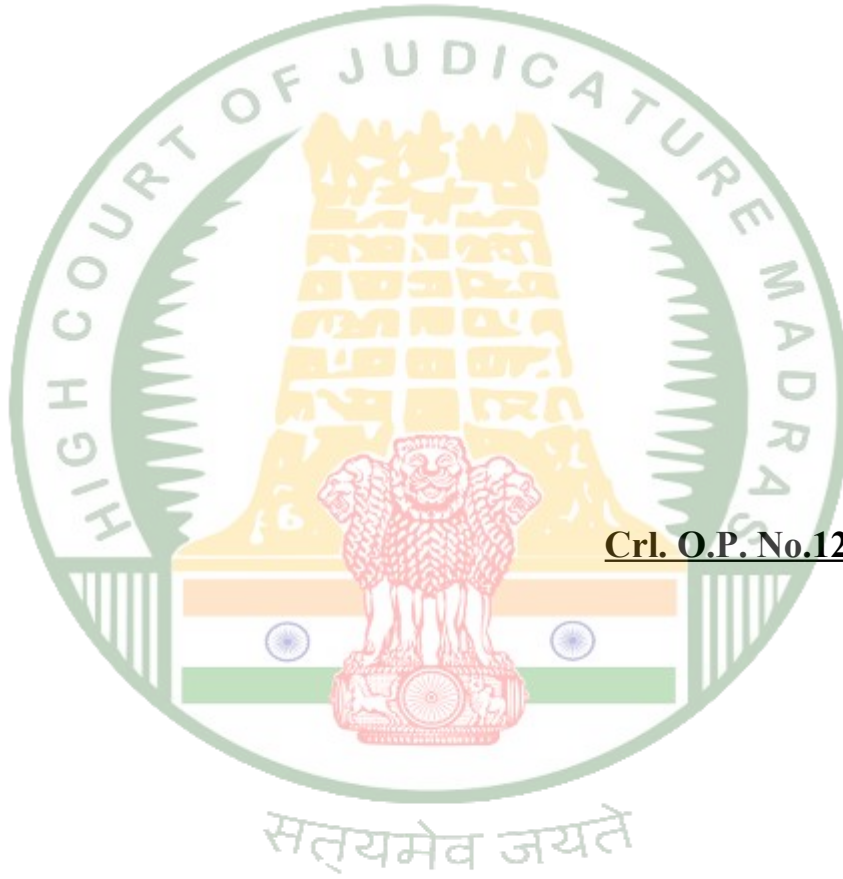
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