



CrI.OP.No.15353 of 2022

CrI.O.P.No.15353 of 2022

G.K.I LANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 25.03.2022 at the hands of the respondent police for the alleged offences punishable under Sections 12 r/w 11(iv), 8 r/w 7, 4 r/w 18 of Protection of Children from Sexual Offence Act, 2012 and Section 506(ii) of IPC, in Crime No.6 of 2022, seeks bail.

2. The case of the prosecution is that on the pretext of marriage, the petitioner abused the victim girl who is aged about 15 years and had committed sexual assault on the victim girl. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 25.03.2022. The victim girl fell in love with the petitioner and she voluntarily came to the house of the petitioner. Thereafter, the mother of the victim girl found them and lodged complaint. He would further submit that even according to the prosecution there was no sexual assault on the victim girl. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner on the pretext of marriage, had committed sexual assault on the minor



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victim girl who is aged about only 15 years. He had also produced the statement recorded under Section 164 Cr.P.C. A perusal of the statement revealed that the petitioner dragged the victim girl to his house and had sexual assault on her. In fact, she was constrained by the petitioner when her mother asked her whereabouts. Thereafter, her mother found the victim girl in the house of the petitioner and had taken to their house. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration of the above facts and circumstances of the case, the earlier bail petition filed by the petitioner was already dismissed by this Court on 10.06.2022 in Crl.OP.No.13406 of 2022 and this is the second bail petition. Even then, there is no change of circumstances in this case. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

04.07.2022

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