



Crl.OP.No.18226 of 2022

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**G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 20.03.2022 for the offences punishable under Sections 5(1), 5(j)(ii) r/w Section 6 of POCSO Act in Crime No.10 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that victim girl aged about 17 years lodged a complaint stating that earlier the victim girl was residing nearby to the petitioner's house and thereby, known to each other. Since the petitioner's wife died some years ago, the *de-facto* complainant has shown some leniency to him. By taking advantage of the same, the petitioner committed penetrative sexual assault against her number of times forcefully. Thereby, she got pregnant and later the child in the womb was dissolved on its own. Hence, the complaint.

3. The petitioner is aged about 45 years and victim girl is aged about 16 years. On perusal of the statement recorded under Section 164 of Cr.P.C. revealed that, on showing the photo after morphing with the victim girl, he had committed penetrative sexual assault on the victim girl aged about



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16 years. Again, he also threatened and compelled the victim girl to have sexual intercourse on showing the photograph. Due to which, the victim sustained grievous injuries and there was heavy bleeding. Thereafter, she was admitted in the hospital.

4. Therefore, the petitioner had committed a very serious and heinous offence as against the minor victim girl. Hence, this Court is not inclined to grant bail to the petitioner and this Criminal Original Petition is dismissed.

05.08.2022

mpl



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