



Crl.O.P.No.18338 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 363, 366 of IPC, 5(1) of POCSO Act and Section 9 of Child Marriage Act in Crime No.172 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had kidnapped the minor girl aged about 17 years with false promise to marry her and had physical relationship with her and thereafter refused to marry her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner had kidnapped the minor girl aged about 17 years with false promise to marry her and had physical



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relationship with her and thereafter refused to marry her. He would further submit that the statement of the victim girl under Section 164 of Cr.P.C has been recorded. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. A perusal of the 164 Statement of the victim girl reveals that the petitioner has compelled the victim girl under the pretext of marriage had penetrative sexual assault on the minor victim girl.

6. Taking into consideration the facts and submissions of the learned Counsel and also the considering the gravity of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

17.08.2022

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Vv

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