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Crl.O.P.No.19649 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 22.04.2022 for the offences punishable under Section 342, 506(i) of IPC and Section 5(1) r/w. 6, 16 r/w.17 of Protection of Children from Sexual Offences Act 2012 in Crime No.9 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl is aged about 16 years and is studying 11th Standard. On 11.03.2022, when the victim girl turned back from the school, this petitioner/A2 asked her to come upstairs house and A1 had committed penetrative sexual assault on her in the presence of the petitioner. The petitioner has also threatened the victim girl not to disclose about this incident to any one. Hence, the complaint.

3. There are totally two accused, in which the petitioner is arrayed as A2. The victim girl is aged about 16 years and she also relative of the petitioner and staying along with them. The petitioner,



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being wife of A1, compelled the victim girl to have sexual relationship with the 1st accused, since she suffered some illness.

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4. A perusal of the statement recorded under Section 164 Cr.P.C reveals that the petitioner had undressed the victim girl and she was holding the hands of the victim while the 1st accused was having penetrative sexual assault on the victim girl.

5. Considering the above circumstances and taking note of the fact that the petitioner had committed a very serious and heinous offence as against the minor victim girl and hence this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

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