



Crl.OP.No.20437 of 2022

Crl.O.P.No.20437 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 11.01.2022 for the offences punishable under Section 5(l), 5(j)(ii) R/w 6, 16, 17, 19, 21(i) of POCSO Act @ 366, 342, 450 IPC R/w 6(1), 6, 17, 21(1), POCSO Act in Crime No.2 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that victim aged about 17 years is the *de-facto* complainant's niece. On 05.01.2022, when she was taken to the GH Munndiyambakkam for check up, she was found 5 months pregnant. On enquiry, it was found that many accused persons have committed penetrative sexual assault on the victim girl. Hence, the complaint.

3. On perusal of the statement recorded under Section 164 of Cr.P.C. revealed that the victim is aged about 16 years. While being so, all the accused persons utilized her age and poverty, had committed penetrative sexual assault on her. Therefore, she without even knowing the consequences, she got pregnant. Only after seeing her stomach, the complaint was lodged and First Information Report has been registered. It is very unfortunate to state that, all



Crl.OP.No.20437 of 2022

the accused persons have committed penetrative sexual assault on her and threatened her with dire consequences.

4. Though, the charge sheet has been laid and the same has been taken cognizance for trial in S.C.No.115 of 2022 on the file of POCSO Court, Villupuram, and that this is the second bail petition and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

29.08.2022

Sma



WEB COPY



CrI.OP.No.20437 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

CrI.O.P.No.20437 of 2022

29.08.2022