

Crl. O.P. No.29275 of 2022

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T.V.THAMILSELVI, J.

The petitioner/Accused who was arrested and remanded to judicial custody on 21.09.2021 for the offences under Sections 354D, 506(i) of IPC r/w Section 4 of TNPHW Act r/w Section 7 & 8 of POCSO Act, in Crime No.10 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner sexually assaulted the victim girl while she was standing in her garden by hugging and kissing her and she informed the same to her parents. When the parents of the victim questioned the same, the petitioner threatened them with dire consequence. Hence, the case was registered based on the complaint of the father of the victim girl and subsequently, the petitioner was arrested and remanded to judicial custody. After coming out on bail, the petitioner again started to threaten and torture the victim girl due to which the victim consumed poison and later she died in the hospital. Hence the complaint.



3. The learned counsel for the petitioner submits that the final report has now been filed and taken on file as Spl. S.C. No.50 of 2021 by the learned Sessions Judge (Special Court for POCSO cases) Cuddalore and the Trial has been commenced. The petitioner is innocent and he has not committed the alleged offence and he is falsely implicated in this case. Further, the petitioner is ready to produce solvent sureties to the satisfaction of this Court. Earlier three bail applications in Crl. O.P. Nos.22948 & 24966 of 2021 and 1924 of 2021 were dismissed by this Court by order dated 03.12.2021, 20.12.2021 and 31.01.2022 respectively and hence, this is the fourth bail application before this Court seeking for bail to the petitioner herein.

4. The learned Government Advocate (Crl. Side) raised objection stating that the victim girl was aged about 17 years, she committed suicide due to the torture and harassment of the petitioner and final report was taken on file in S.C. No.50 of 2021 and the case is under Trial. Hence, he vehemently opposed to grant bail to the petitioner herein



5. Taking into consideration of the grave nature of offence committed by the petitioner and the case is under trial, this Court is not inclined to grant bail to the petitioner herein.

6. Accordingly, this Criminal Original Petition is dismissed.

30.11.2022

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