



CRL.O.P.No.30620 of 2022

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WEB C **T.V.THAMILSELVI,J.**

The petitioner who was arrested and remanded to judicial custody on 15.09.2022 for the alleged offence under Sections 5(1) 5(j) (ii) r/w Section 6 of POCSO Act, 2012 of Protection of Children from Sexual Offences Act, 2012 in Cr.No.85 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner and the victim, aged about 16 years were in love affair. The allegation against the petitioner is that he had sexual relationship with her. Due to which, the victim became pregnant. Thereby, the mother of the victim girl lodged a complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would submit that now the victim girl has delivered a baby and the parents of the victim girl and the petitioner are ready to perform marriage between them. Further, that the petitioner is in custody for 90 days from 15.09.2022. Hence prays



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for grant bail to the petitioner.

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4.The learned Government Advocate (Crl.Side) would submit that the petitioner had a love affair with the victim girl and had sexual penetration many times against the willingness of the victim knowing the fact she is minor. He would further submit that the statement has also been recorded from the victim girl under Section 164(5) Cr.P.C., wherein she had stated that the petitioner had already threatened her to withdraw the complaint. Hence, he vehemently opposed to grant bail to the petitioner.

5. On a perusal of the statement recorded from the victim girl under Section 164(5) Cr.P.C., it reveals that the petitioner had threatened the victim girl to withdraw the complaint. Therefore, if he is released on bail, he would tamper the witness. Hence, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

14.12.2022

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