



WEB COPY



Crl.O.P.No. 30560 of 2022

Crl.O.P.No. 30560 of 2022

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.10.2022 for the alleged offence under Sections 376, 302, 109 I.P.C. and Section 5(j) (iv), 5(1), 6 of POCSO Act, 2012 in Crime No.164 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased is aged about 15 years old and when the petitioner had intercourse with her, later, victim compelled him to marry her, but he refused the same and thereafter, she was strangulated and died. Thereafter, the body of victim girl found at a lake and on suspicion, the defacto complainant lodged a complaint against the petitioner.

3. The learned counsel for the petitioner submitted that there is no specific overtact attributed against the petitioner and as the victim has a love affair with the petitioner, she went out from the house after locking her mother and subsequently, she was not seen anywhere for sometime, but her



Crl.O.P.No. 30560 of 2022

WEB COPY

parents have not taken any steps to find out her. He would submit that when the body of victim found at Aramani lake, the present complaint was filed stating that she is having suspicion in her death, and the petitioner is the reason for death of her minor daughter. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 24.10.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that earlier, the petitioner had intercourse with the victim girl, who is aged about 15 years and when she compelled him to marry her, he refused the same and subsequently, she was not seen and on 23.10.2022, the body of victim was found with a strangulation. He would also submit that if he is released on bail, he will tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.



Crl.O.P.No. 30560 of 2022

WEB COPY

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and the investigation is not yet completed and also considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

13.12.2022

rpp



WEB COPY



Crl.O.P.No. 30560 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 30560 of 2022

13.12.2022