



Crl.O.P.No.31038 of 2022

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T.V.THAMILSELVI, J.

The petitioner/A2, who was arrested and remanded to judicial custody on 19.08.2022 for the alleged offences punishable under Sections 5(1), 5(j)(ii) r/w 6 of POCSO Act and Section 506(ii) of IPC in Crime No.7 of 2022, seeks bail.

2.The case of the prosecution is that the petitioner had committed penetrative sexual assault on the minor victim girl aged about 15 years, due to which, the victim girl became pregnant and aborted now. Hence, the complaint is registered against the petitioner.

3.Learned Counsel for the petitioner would submit that the petitioner is an innocent person and he would further submit that it was only a consensual affair and the petitioner without understanding the consequences and rigours of the Prevention of Child from Sexual Offences Act, had affair with the victim minor girl. He would further submit that the petitioner is prepared to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.



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4.The learned Additional Public Prosecutor would submit that the petitioner induced the victim girl and committed penetrative sexual assault on her. Due to which, she become pregnant and on the complaint given by her, the complaint has been registered and now, the pregnancy of the victim has been aborted. He would also submit that the 164 statement has also been recorded from the victim girl. Hence, he opposed for grant of bail to the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) for the respondent Police and perused the entire materials available on record.

6.Considering the facts and circumstances of the case and the submissions made by the learned counsel and on considering the gravity of offence committed by the petitioner, this court is not inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, this Criminal Original Petition stands dismissed.

15.12.2022

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