



Crl.O.P.No.3661 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 28.01.2023 for the alleged offences punishable under Sections 363, 366, 376(2)(n), 354 C, 506(ii) of IPC and under Sections 5(l), 6 of Protection of Child from Sexual Offences Act 2012 in Crime No.7 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution as per the is that the accused, who is the neighbour of the de-facto complainant, by inducing her minor daughter, aged about 17 years, on the false promise of marrying her, had sexual intercourse with her and later refused to marry her. The further allegation is that the accused has also threatened her not to reveal their relationship to others or else he will upload her obscene photographs in social media. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person working in Army and he has been falsely implicated in



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this case. He also submitted that the petitioner has treated the victim girl as his sister and he was no way connected with the alleged offence. He also submit that in order to gain money from the petitioner, the de-facto complainant has lodged a false complaint, as if he had committed penetrative sexual assault on her minor daughter. He also stated that the petitioner is in custody from 28.01.2023. He also submitted that the petitioner is prepared to furnish adequate sureties and ready to abide by any stringent conditions that may be imposed by this Court. Hence, prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner, who was working in Indian Army, on the false promise of marrying the minor victim girl, aged about 17 years, had induced and committed penetrative sexual assault on her. He further submitted that later, the petitioner has refused to marry her and also intimidated her that he will upload her obscene pictures in social media, due to which, the victim girl has also attempted to commit suicide. He further submitted that medical examination of the minor victim girl was over and the statement has also been recorded from the victim girl under Section 164



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Cr.P.C. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record including the statement recorded under Section 164 Cr.P.C.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Government Advocate (Crl.Side) and also considering the statement recorded from the minor victim girl under Section 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

16.02.2023

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