



Crl.O.P.No.6025 of 2023

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A.D.JAGADISH CHANDIRA.,J.

(This case has been heard through Video Conferencing)

The petitioner, who was arrested and remanded to judicial custody on 30.01.2023 for the offences punishable under Section 366(A) of IPC @ 366(A) of IPC r/w Sections 5(1), 6 of POCSO Act, in Crime No.9 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant is that the petitioner, who is a married man with two children, had kidnapped the minor victim girl, aged about 13 years, and committed penetrative sexual assault on her. Hence the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, on account of an earlier election dispute between the family of the petitioner and the family of the defacto complainant. He further submitted that the petitioner is in judicial custody from 30.01.2023 and thereby, he seeks for grant of bail to the petitioner.



Crl.O.P.No.6025 of 2023

WEB COPY

4.Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that it is not a case of usual love affair. He further submitted the petitioner, who is a married man with two children, had kidnapped the minor victim girl, aged about 13 years and committed penetrative sexual assault on her. He also submitted that the investigation is still pending. Hence, he opposed for grant of bail to the petitioner.

5.Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the nature of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

10.04.2023

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