



Crl.O.P.No.7127 of 2023

Crl.O.P.No.7127 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested on 24.01.2023 and remanded to judicial custody on 25.01.2023, for the offences punishable under Sections 5(l), 5(m), 5(n), 6, 9(l), 9(m) and 10 of Protection of Children from Sexual Offences Act, 2012, in Crime No.26 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant, Member of the Child Welfare Committed is that the accused, who is the maternal uncle of the minor victim girl, had committed aggravated penetrative assault on the minor victim girl when she was 12 years old. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence and a false complaint has been lodged as against



Crl.O.P.No.7127 of 2023

him. He also submitted that the petitioner was arrested on 24.01.2023 and he is in custody for more than 60 days and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that it is the case, where, the petitioner, who is the maternal uncle of the minor victim girl, aged about 12 years, had committed repetitive aggravated penetrative sexual assault on her, when the victim had come to her grand-mother's house, during to the covid time. He further submitted that statement under Section 164 Cr.P.C., has also been recorded from the minor victim girl, however, 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 materials available on record including the statement recorded from the victim girl under Section 164 Cr.P.C.



Crl.O.P.No.7127 of 2023

WEB COPY

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on both sides and also considering the statement recorded from the 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.

11.04.2023

ham



WEB COPY



Crl.O.P.No.7127 of 2023

A.D.JAGADISH CHANDIRA, J.

ham

Crl.O.P.No.7127 of 2023

11.04.2023