



Crl.O.P.No.7572 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 01.02.2023, for the offences punishable under Section 366, 506(i) of IPC and Section 5(m) read with Section Section 6 of POCSO Act 2012 in Crime No.43 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner committed sexual assault against the victim.

3. The learned counsel appearing for the petitioner submitted the petitioner is facing trial before the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSI Act, Villupuram in SPL.SC.No.130 of 2019 and the Trial Court issued NBW on 29.06.2022 for non appearance of the petitioner and remanded on 01.02.2023 by executing NBW. The learned counsel for the petitioner states that the petitioner had filed a bail petition before the Principal Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram in Crl.M.P.No.538 of 2023 in



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Spl.SC.No.130 of 2019 and the same was dismissed on 15.03.2023. Hence, the learned counsel for the petitioner seeks bail for the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner has committed penetrative sexual assault with the victim minor girl aged about seven years. The petitioner is facing trial before the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSI Act, Villupuram in SPL.SC.No.130 of 2019 and the Trial Court issued NBW on 29.06.2022 for non appearance of the petitioner and remanded on 01.02.2023 by executing NBW. The learned counsel for the petitioner states that the petitioner had filed a bail petition before the Principal Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram in Crl.M.P.No.538 of 2023 in Spl.SC.No.130 of 2019 and the same was dismissed on 15.03.2023. He further submitted that if the petitioner is granted bail, then there will be possibility of abscondance, tampering the witnesses and will hamper the investigation. Hence, he vehemently raised objection for the grant of bail to the petitioner.



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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 and the submissions made by the learned counsel for the petitioner, this Court is not inclined to grant the relief sought for in this petition.

7. Accordingly, this Criminal Original Petition for bail is dismissed.

06.04.2023

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