



Crl.O.P.No.9114 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner who was arrested and remanded to judicial custody on 06.09.2022 for the offences under Sections 5(b)(i), 5(j)(ii), 5(l) read with Section 6 of POCSO Act, in Crime No.26 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant XXX who was aged about 17 years is that she was having love affair with one Maria Selvam from the year 2021. The petitioner is her neighbour and police man and he is also a married man having two children. On coming to know about the love affair between the defacto complainant and the said Maria Selvam, by threatening the victim girl that he would disclose her love affair to her parents, forcibly committed sexual assault on her due to which, the victim girl became pregnant. Hence the case.



3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the victim girl was having love affair with one Maria Selvam/A1 and since the petitioner had asked the victim girl to sever her relationship with the said Maria Selvam, she has given a false complaint against the petitioner as if, the petitioner committed sexual assault on her. He would further submit that this Court by order dated 24.02.2023, has granted bail to the said Maria Selvam/A1 and that the petitioner has been suffering incarceration for more than 6 months from 06.09.2022. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that admittedly this Court has granted bail to the said Maria Selvam/A1 by taking into consideration the love affair between him and the victim girl. But insofar as the petitioner is concerned, he is a married man and having two children and he is also a police man. On coming to know about the love affair of the victim girl, the petitioner has threatened the victim girl that he would disclose the



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same to her parents and committed sexual assault on her against her will due to which, the victim girl has become pregnant. He further submitted that the DNA profile has been taken from the accused and the report is awaited. Hence, he vehemently opposed for grant of bail to the petitioner.

5.Taking into consideration the nature of offence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

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