



Crl.O.P.No.11315 of 2023

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A.A.NAKKIRAN,J

The petitioner, who was arrested and remanded to judicial custody on 12.03.2023, in connection with Crime No.75 of 2023 registered for the offences punishable under Sections 363, 366, 376 (ii) (n), 506(ii) of IPC r/w 5(1), 6(1) of POCSO Act, 2012, seeks bail.

2.The case of the prosecution is that the petitioner who is already a married man, had committed penetrative sexual assault on the victim girl, aged about 15 years. Hence the case.

3. Learned counsel for the petitioner submitted that this is the second bail petition and the earlier bail petition filed by the petitioner in Crl.O.P No.10317 of 2023 was dismissed by this Court on 05.05.2023. He further submitted that the petitioner is in judicial custody for more than 68 days. Hence, he seeks bail to the petitioner.

4. Learned learned Government Advocate (Criminal Side)



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appearing for the respondent submitted that the petitioner who is already a married man, had kidnapped the minor victim girl, aged 15 years and had committed penetrative sexual assault on her. He further submitted that a statement under Section 164 of Cr.P.C has been recorded from the victim girl and the investigation is in initial stage. Hence, he strongly opposed for grant of bail to the petitioner.

5. A reading of the 164 statement clearly shows that this petitioner had already married two ladies and by suppressing the said fact, he had eloped with the minor victim girl and had sexual intercourse with her.

6. Considering the age of the victim girl and also the gravity of the offence committed by the petitioner which is serious and heinous in nature, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

18.05.2023

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