



Crl.O.P.No.11357 of 2023

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A.A.NAKKIRAN,J.

The petitioner, who was arrested and remanded to judicial custody on 04.03.2023, in connection with Crime No.626 of 2023, registered for the offence punishable under Sections 5(1), 5(n) r/w Section 6(1) of POCSO Act and Section 506(i) IPC, seeks bail.

2.The case of the prosecution is that the petitioner had sexual intercourse with the victim girl, who aged about 17 years and threatened her not to disclose about the said incident to anyone. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner and the victim girl was in love and with the consent of the victim girl, he had sexual intercourse with the victim girl. Therefore, he prays for grant of bail to the petitioner.

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4.The learned Government Advocate (Crl.Side) would submit that the petitioner had sexual intercourse with the victim girl, who aged about 17 years and threatened her not to disclose about the said incident to anyone. He further submitted that the statement under Section 164 (5) Cr.P.C has been recorded by the victim girl, wherein serious allegations have been made against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and that there are serious allegations in the statement under Section 164 (5) Cr.P.C as against the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

17.05.2023

anu/dsa

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