



Crl.O.P.No.14649 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under the caption 'Girl missing' and subsequently, altered to Sections 363, 366, 376 (2) (n) IPC and Section 5 (L) r/w 6 (1) POCSO Act, in Crime No.215 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that defacto complainant insisted the victim girl to marry some one else. Therefore, the victim girl visited the house of her elder sister Surya and it is claimed that the petitioner had sexually harassed the victim girl. However, this is a false allegation and prays for anticipatory bail for the petitioner.

3. In response, the learned Government Advocate (Crl.Side) submitted that petitioner had intercourse with the victim girl on multiple times and it is evident from the medical examination of the victim girl. Section 164 Cr.P.C. statement of the victim girl was also recorded and it is confirmed that she was taken by the petitioner and her sister to various



places and prayed for dismissal of this petition.

4.Considered the rival submissions and perused the records.

5.Originally FIR was registered in Crime No.215 of 2022, under the caption 'Girl missing'. It is seen from Section 164 Cr.P.C. statement of the victim girl that the victim girl's sister Surya insisted the victim girl to marry the petitioner for the reason that she was not well and that the victim girl should stay with her for taking care of her. Therefore, she married the petitioner. Now, her sister retracted from her statement and stated that she did not ask the victim girl to marry her husband. It is her further statement that she along with her sister and petitioner visited Tiruppur. After coming from Tiruppur, victim girl and petitioner visited Kumbakonam and stayed there for one month and then they visited Bangalore and stayed for four days. Thus, it is quite obvious from the statement of the victim girl and the medical records that the petitioner had committed aggravated sexual assault against the victim girl.



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6.In the said circumstances, this Court is of the view that the prayer for grant of anticipatory bail to the petitioner cannot be entertained. Accordingly, this Criminal Original Petition is dismissed.

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