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Crl.O.P.No.14552 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner, who was arrested and remanded to judicial custody on 17.04.2023 for the offences punishable under Sections 354(d), 354(a), 342, 506(ii) IPC r/w Section 3 and 4 of the POCSO Act in Crime No.11 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in Crime No.11 of 2023 for the offences under Sections 354(d), 354(a), 342, 506(ii) IPC r/w Section 3 and 4 of the POCSO Act. It is his submission that, the victim girl and petitioner fell in love with each other and for the said reason, this case is registered falsely against the petitioner. Petitioner has not committed any offence, especially the offences under POCSO Act. He is in judicial custody from 17.04.2023. Thus, he prays for grant of bail.

3. In response, the learned Government Advocate (Criminal Side) vehemently oppose this petition, on the ground that, the victim girl was forcibly taken and was raped by the petitioner. He further submitted



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that, petitioner committed offence of aggravated sexual assault against the victim girl. The investigation in this case is not completed and therefore, he prays for dismissing the petition.

4. Considered the rival submissions and perused the records.

5. It is seen from the first information report allegations that, the petitioner used to harass the victim girl, who was aged 16 years, when she goes to school and return from school. On 17.04.2023, at about 6.30 p.m., while victim girl was returning from her school, petitioner said to have forcefully taken the victim girl to Sugarcane field and committed aggravated sexual assault under threat and coercion. The victim girl's 164 Cr.P.C statement reiterates the first information report allegations.

6. Considering the nature and seriousness of the offence, and the fact that, investigation in this case is not completed, this Court is not inclined to grant bail to the petitioner.

7. In the result, this Criminal Original Petition is dismissed.



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