



CrI.O.P.No.16305 of 2023

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RMT.TEEKAA RAMAN,J.

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 363, 366, 376(ii)(n) and 506(ii) r/w 6(i) of POCSO Act in Crime No.13 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that one Roobabai who is the mother of the victim lodged complaint before the respondent police on 08.07.2023 stating that her daughter joined petitioner's chemistry tuition centre in the year of 2022 and on 08.07.2023, the victim departed to the school and school teacher intimated to the defacto complainant that her daughter was absent on that day. When enquired with her daughter on return, she came to know that her daughter had went out with the petitioner to Kancheepuram and that the petitioner had intercourse with her daughter for several times and the last occasion was on 08.07.2023. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and in no way connected with the case and he



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has been falsely implicated in this case. Therefore, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police produced the copy of the FIR; 164 statement given by the victim girl, who is 17 years old to the learned Judicial Magistrate No.2, Wallajapet; and also the Medico-legal Examination Report of Sexual Violence, and vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.side) and perused the materials available on record.

6. The petitioner herein appears to be the tuition master conducting classes and the victim girl has joined the petitioner's tuition centre and as per the version of the victim girl, the petitioner had physical relationship with the victim on number of occasions. The contents of the complaint as well as the 164 Statement given by the victim girl to the learned Judicial Magistrate are considered. Since the matter is under investigation, I am not expressing any opinion, except to say that since the investigation is at a preliminary stage and that the victim girl is below 17 years, and the alleged offence is under Section



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6(i) of POCSO Act, not inclined to grant anticipatory bail to the petitioner.

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7. Accordingly, this Criminal Original Petition is dismissed.

07.08.2023

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