



Crl.O.P.No.20683 of 2023

Orders Reserved on
12.09.2023

Orders Pronounced on
14.09.2023

Crl.O.P.No.20683 of 2023

RMT. TEEKAA RAMAN.,J.

The petitioner herein who is the first accused, apprehends arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 341, 34 D, 354 A (1) (i), 506 (i) of IPC r/w 11 (1), 11 (4), 12 of Protection of Child from Sexual Offences Act 2012 in Crime No.14 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that defacto complainant had lodged a complaint dated 01.06.2023 and the averment of the complaint as follows : The defacto complainant is residing in the complaint mentioned address and her mother name is Viruthammal and the defacto complainant is having two brothers 1. Cholarajan 2. Bharath. The defacto complainant had completed 12th standard and now the defacto complainant is in the home. The defacto complainant further states that while she was going to the school, the 1st accused herein followed the defacto complainant and teased her. On 15.05.2023, when the defacto complainant was in her grocery shop, at that



Crl.O.P.No.20683 of 2023

time, the 1st accused came and dragged the defacto complainant and abused her in filthy language, thereafter the defacto complainant informed the above said incident to her mother who had questioned the accused and they abused the defacto complainant's mother and caused criminal intimidation. The petitioners further submit thereafter the defacto complainant had lodged a complaint on 01.06.2023 and pursuant her complaint, the respondent police registered the FIR in Crime No.14 of 2023.

3. The learned counsel for the petitioner submitted that the earlier petition for anticipatory bail in Crl.OP No.15331 of 2023 was dismissed as withdrawn on 10.08.2023 and now the second accused was granted bail on 21.08.2023 in Crl.MP No.1780 of 2023 by the Special Judge for POCSO Act and seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (crl.side) has produced copy of 164 statement recorded by the learned Judicial Magistrate, Sengam.

5. After perusing the above statement, I find that there is a specific overtact against the petitioner under the Special Act namely POCSO and it is



Crl.O.P.No.20683 of 2023

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a case of one side love by the petitioner and tried to influence the victim girl to make her love and also committed the alleged offence, thereby the victim girl was driven to attempt suicide. Hence, I am not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

14.09.2023

rgr



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CrI.O.P.No.20683 of 2023

RMT. TEEKAA RAMAN.,J.

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Per-Delivery order in
CrI.O.P.No.20683 of 2023

14.09.2023