



Crl.OP.No.21100 of 2023

Crl.O.P.No.21100 of 2023

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G.CHANDRASEKHARAN.J.,

The petitioner namely Govinda Sarki, who was arrested and remanded to judicial custody on 22.06.2023 for the offences under the caption “Girl Missing” subsequently altered into Sections 366(A) of IPC read with Section 4 of Protection of Children from Sexual Offences Act , 2012 in Crime No.201 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent person and he has been falsely implicated in a case registered under the caption “Girl Missing” subsequently altered into Sections 366(A) of IPC read with Section 4 of Protection of Children from Sexual Offences Act, 2012 in Crime No.201 of 2023. Petitioner is in Judicial Custody from 22.06.2023. Thus, he seeks bail to the petitioner.

3. In response, learned Additional Public Prosecutor opposes the petition on the ground that, petitioner is a married man having a child. He lured the victim girl aged about 13 years and had committed



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forceful penetrative sexual assault against her. The statement of the victim girl under Section 164 of Cr.P.C., was recorded and the Medical Examination of the victim girl was also over. Investigation in this case is completed and charge sheet also filed.

4. The reading of the statement of the victim girl under Section 164 of Cr.P.C., shows that, she was in love with one Govind (petitioner herein), who is aged about 24 years. On 18.06.2023, victim girl went to meet Govind at Tower Park. Then they both went to Ganga Hotel and had hot brownie. Thereafter, at about 06.00.p.m., when victim girl wanted to go home, Govind did not allow her to go home. Govind took the victim girl to his house. Despite her resistance, Govind had committed penetrative sexual assault against her. Then, she stayed with Govind for about four days. Later, it came to her knowledge that, Govind is a married man and has a child.

5. From the statement of the victim girl under Section 164 of Cr.P.C., this Court finds that, 13 year old girl was lured into love and lust by a 26 year old man, who is already a married man and has a child. It



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was informed that, investigation in this case is completed and charge sheet also filed. However, taking into consideration the gravity of the offence committed by the petitioner against the victim girl, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original petition is dismissed.

13.09.2023

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