



Crl.O.P.No.31727 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 26.07.2020 for the offences punishable under Sections 363, 366, 366-A and 376(DA) of IPC and Section 5(g) and 6 of (POCSO) Act, 2012 in Crime No.3 of 2020 on the file of the respondent police and the trial is pending in Spl.S.C.No.102 of 2020 on the file of the Special Court for trial of cases under POCSO, Act, Tiruvannamalai, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner along with other accused induced the minor girl aged about 14 years to come out of her home, kidnapped her with an intention to have illicit intercourse with her, thereby committed gang rape upon the victim girl by giving beer. Hence, the compliant.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and a false case has been foisted against him. He would further submit that he will abide by any condition that may be



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imposed by this Court. He would also submit that the petitioner has been suffering incarceration from 26.07.2020. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) for the respondent police submitted that on the date of occurrence, the petitioner along with other accused induced the minor girl aged about 14 years to come out of her home, kidnapped her with an intention to have illicit intercourse with her, thereby committed gang rape upon the victim girl by giving beer. and the investigation is at crucial stage, if the petitioner is granted bail, he will tamper the witnesses and hamper the investigation. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case, gravity of offence and there is no change in circumstance, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

12.01.2023

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