



Crl.OP.No.32703 of 2022

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G.K.ILANTHIRAIYAN,J.

The petitioner, who was arrested and remanded to judicial custody on 14.03.2022 for the alleged offences punishable under Sections 5(1) r/w 6(1) of POCSO Act, 2012 and 506(i) IPC, in Crime No. 4 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the victim girl is aged about 12 years and the petitioner is a married man who is aged about 30 years. It is alleged that the petitioner went to the house of the defacto complainant on several occasions and had committed penetrative sexual assault on the victim and also threatened her not to disclose the same to anyone. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that it is the second bail petition filed by the petitioner



Crl.OP.No.32703 of 2022

and the petitioner is in Judicial custody from 14.03.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner had committed penetrative sexual assault on the minor victim girl. He would further submit that charge has been filed and trial also commenced. He would further submit that the statement under Section 146 of Cr.P.C was recorded. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner, which is serious and heinous against the minor victim girl and there is no change of circumstance to consider this petition, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the criminal original petition stands dismissed.

09.01.2023



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