



Crl.OP.No.32324 of 2022

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G.K.ILANTHIRAIYAN,J.

The petitioner, who was arrested and remanded to judicial custody on 06.05.2022 for the alleged offences punishable under Sections 5(C)(1)(m) r/w 6 of POCSO Act, 2012, in Crime No. 6 of 2002 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is aged about 53 years, had committed penetrative sexual assault on the victim girl aged about 8 years. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that due to family dispute between the petitioner and the victim's aunty, a false complaint has been foisted as against the petitioner. 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



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victim girl. He would further submit that the trial has been commenced and the prosecution yet to examine the witnesses. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of statement under Section 164 Cr.P.C., revealed that the victim is aged about 8 years. When the victim girl went to the public toilet, the petitioner had given her chocolates and other eatables and had committed penetrative sexual assault on the victim girl. Further, the petitioner is aged about 53 years and he has committed very serious and heinous offence as against the minor victim girl. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the criminal original petition stands dismissed. The Trial Court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order.

09.01.2023

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