



Crl.O.P.No.26459 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks bail in Crime No.4 of 2023, registered by the respondent police for the offences punishable under Section 5(1) and 6 of Protection of Child from Sexual Offences Act, 2012 on 03.09.2023. The petitioner had been remanded to custody on the same day.

2.The learned counsel for the petitioner states that initially, the complaint was lodged before the 2nd second respondent police and later, the investigation had been transferred to the 1st respondent police. It is stated that the occurrence took place within the territorial jurisdiction of the 1st respondent.

3.The learned counsel for the petitioner also stated that in the FIR, there are no specific details given and further, the petitioner, and the victim child, had willingly committed the acts, which are complained of in the complaint. However, the statement under Section 164(5) of Cr.P.C. of the victim child had been produced and it is seen that the petitioner, who is a married person had told the victim child, who was only studying 10th standard, that he was not married and he was living alone



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and thereafter, he started following her whenever she went to school.

They had physical relationship on two or three occasions and he had then taken her to various places. All these would constitute the act of grooming. It is stated that after the incident came to the knowledge, and a complaint was lodged, he had threatened her with knife and stated that he would also commit suicide. It is also stated that his wife came and beat up the victim child.

4.It is stated by the learned counsel for the petitioner that these facts are not in the First Information Report. At that time, the victim would be under threat and it was only before the Magistrate when the statement was recorded would she get confidence.

5.It is stated that investigation has been practically completed. Let them be further progress. At this stage, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

22.11.2023

rjr/ata



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