



Crl.O.P.No.8937 of 2024

Crl.O.P.No.8937 of 2024

WEB COPY

T.V.THAMILSELVI, J.

The petitioner who was arrested and remanded to judicial custody on 29.02.2024, for the offences registered under Sections 5(1) r/w 6 of POCSO Act and 506(ii) of IPC, Crime No.4 of 2024, seeks bail.

2.The case of the prosecution is that the petitioner by giving a false promise to marry the victim girl, had sexual intercourse with her, due to which, she became pregnant. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and on the instigation of one prabhakaran, the victim had stated the name of the petitioner, due to which, the petitioner had been falsely implicated in this case. He would further submit that one Prabhakaran is the reason for the pregnancy and A2 had also sexual intercourse with her. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (crl.side) appearing for the respondent Police would submit that in the statement recorded under



Crl.O.P.No.8937 of 2024

WEB COPY

Section 164 Cr.P.C., the victim girl stated that by giving false promise, the petitioner had sexual intercourse with her.

5.Considering the submissions made on both sides, the fact reveals that the petitioner blamed one Prabhakaran for the pregnancy of the victim, but as per the statement recorded under Section 164 Cr.P.C., the petitioner is the reason for the pregnancy. Both the petitioner and A2 were disputing the paternity of the child. So the DNA test will reveal the truth. Now the victim became 9 months pregnant. After the birth of the child, the DNA test would be conducted.

6.At this stage, this Court is not inclined to grant bail to the petitioner.

7.Hence, this Criminal Original Petition is dismissed.

12.04.2024

vkr



WEB COPY



Crl.O.P.No.8937 of 2024

T.V.THAMILSELVI, J.

vkf

Crl.O.P.No.8937 of 2024

12.04.2024