



Crl.O.P.No.9416 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 20.02.2024, for the alleged offences punishable under Section 323 of IPC r/w Sections 9 & 10 of the Prohibition of Child Marriage Act, 2006 and Sections 5(1), 6, 16, 17 of Protection of Children from Sexual Offences Act, 2012, in Crime No.3 of 2024, on the file of the respondent Police, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is suffering incarceration from 20.02.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that it is the case where, the petitioner herein had forcefully married the minor victim girl and committed penetrative sexual assault on her and by demanding dowry deserted her. He further submitted that the other accused have accompanied and abetted the petitioner herein in the said offence. Thereafter, the petitioner had married another woman and also threatened the victim to withdraw the case.



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4. He further submitted that the investigation in this case is still pending and the statement under Section 164 Cr.P.C., has also been recorded from the victim girl. If the petitioner is released on bail, there is a possibility of him absconding and would threaten the victim girl and her family. Hence, he vehemently objected for granting bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side) and taking note of the statement recorded under Section 164 Cr.P.C., from the victim girl and considering the conduct of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

25.04.2024

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