



Crl.O.P.No.16035 of 2024

T.V.THAMILSELVI, J.

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The petitioner/A1, who was arrested and remanded to judicial custody on 23.04.2023, in Crime No.9 of 2023, registered for the alleged offence punishable under Sections 5(m), 5(n), 5(I), 16, 17 of POCSO Act, 2012 and under Section 506(i) of IPC, seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the fifth bail petition and the earlier petitioners were dismissed by this Court. He further submitted 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, as if he, had sexually assaulted the victim child, leading to her suicide. He further submitted that the petitioner is the step father of the victim child and the second accused is the mother of the victim girl. He further submitted that the petitioner is suffering incarceration from 23.04.2023 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is the second husband of second accused, who is the mother of the victim girl. He further

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submitted by taking advantage of his position, as step father, he had committed sexual assault on the victim child. He further submitted that the statement under Section 164 of Cr.P.C has also been recorded, and thereafter, the victim was passed away by committing suicide on 12.02.2024. However, he vehemently opposed for the grant of bail to the petitioner.

4. Considering the gravity of the offence, nature of offence and the manner of offence committed and the submission made by the learned counsel on either side and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

08.07.2024

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