



Crl.O.P.No.16748 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 30.03.2024 for the alleged offences punishable under Sections 5(n), 5(1), 5(j)(ii) r/w Section 6 of POCSO Act, 2012 in Crime No.190 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, whereas he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in custody from 30.03.2024, and he is ready to abide by any 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 the petitioner/accused aged 42 years, who is own biological father of the victim child, aged 17 years, committed penetrative sexual assault repeatedly against her own daughter and made her pregnant and delivered a child. He further submitted that DNA report states that this petitioner is



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the biological father of the baby born to the victim child and further the statement 164 Cr.P.C., has also been recorded. He further submitted that the investigation has been completed and the charge has also been filed in in S.C.No.161 of 2024 before the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

4. Considering the facts and circumstances of the case, and also considering the grave nature of offence and also taking into consideration of the relationship between the petitioner and the victim child and the nature of the offence alleged to have been committed by the petitioner, and also the victim child delivered a child, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

16.07.2024

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