



CrI.O.P.No.18741 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who were arrested and remanded to judicial custody on 13.01.2023, in Crime No.03 of 2023 on the file of the respondent police, registered for the alleged offence punishable under Section 506(1), 120(B), 366, 342, 376(D), 109 of IPC and 5(1), 5(g), 6 of POCSO Act, seeks bail.

2.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the first accused had love affair with the victim girl and the other accused persons are friends of A1 and other petitioners are no way connected with the alleged offence, and they have been suffering incarceration from 13.01.2023 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

3. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that the victim, aged 17 years and the first petitioner, aged 20 years had loved each other and under the guise of marrying her, the petitioner had committed penetrative sexual on the victim girl. He further submitted that the petitioners/A2 and A3, who are friends of A1, also committed sexual assault on the victim girl without her consent. They also threatened her not to disclose the incident to any one or they would kill her.

T.V.THAMILSELVI, J.



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He further submitted that victim girl was secured and handed over to her parents and the statement under Section 164 Cr.P.C., has also been recorded from her, wherein she stated that she had a love affair with A1, and other accused persons/A2 and A3 also committed penetrative sexual assault on her. He further submitted that the investigation has been completed and the charge sheet has also been filed. Now, the case is posted for trial for the examination of the investigation officer. However, he vehemently opposed for the grant of bail to the petitioner.

4. Taking into consideration the facts and circumstances of this case and the submissions made by the learned Government Advocate (Criminal Side) and also taking note of the fact that the case has taken up for trial and also considering the nature and the gravity of the offence committed by the accused persons, this Court is not inclined to grant bail to the petitioners.

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

02.08.2024

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