



Crl.O.P.No.20683 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 08.06.2024, in Crime No.21 of 2024 on the file of the respondent police, registered for the alleged offence punishable under Section 5(g), 6, 11(5), 12 and 17 of Protection of Child from Sexual Offence Act, 2012, seeks bail.

2. The case of the prosecution is that the accused/A3 is the friend of the victim girl. On her birthday celebration, A3 introduced A1 and A2. After taking sweet offered by A3, the victim girl was dizzy, due to which A1 committed penetrative sexual assault on the victim girl. Thereafter, the petitioner is orally and physically abused the victim girl and also took photos and videos. Based on the complaint given by the mother of the victim girl, the respondent registered a case and arrested the petitioner. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that this is the second petition and the earlier petition was dismissed by this Court in Crl.OP.No.17547 of 2024 dated 24.07.2024. He further submitted



that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution. There is no specific overt act attributed against this petitioner. He further submitted that the petitioner is suffering incarceration from 08.06.2024 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.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused persons had committed sexual assault on the victim girl, by offering some sweets. She was pushed inside the room where she was orally and physically abused. During such time, videos and photos were also taken, and they also threatened the victim girl not to disclose to anybody else. He further submitted that the statement has also been recorded from the victim girl, who is aged about 15 years, under Section 164 Cr.P.C. He further submitted that the investigation is still pending. However, he vehemently opposed for the grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned



Government Advocate (Crl.Side) and perused the materials available on record.

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6. Taking into consideration the facts and circumstances of the case, and considering the submission of both sides counsel and also taking note of the fact that there is specific overt act attributed against this petitioner, and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

29.08.2024

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