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CRL O.P. No.24427 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.24427 of 2024

Nagarajan

... Petitioner / A1

Vs

State rep. by:-

The Inspector of Police,
Polur All Women Police Station,
Thiruvannamalai District.
(Crime No.14 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the Petitioners on bail in Crime No.14 of 2024 on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj

For Respondent : Mr.S.Vinoth Kumar
Government Advocate,
[Criminal side]



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ORDER

The Petitioner / A1 seeks bail in Crime No.14 of 2024 on the file of the respondent police for the offences punishable under Sections 332(b), 49, 65(1), 75, 78 of BNS Act and Sections 5(n) r/w 6, 17 of POCSO Act. The petitioner was remanded to judicial custody on 13.09.2024.

2.The case of the prosecution is that the petitioner / A2 is the maternal aunt of the victim girl and A1 is a person, who had illegal intimacy with A2. The victim girl used to visit A2's house during holidays. During that time, A1 had made love proposals to the victim girl and threatened her to marry him and also had a sexual relationship with her. The victim girl had informed the same to her mother. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the defacto complainant and A2 are close relative. Due to family dispute, between A2 and defacto complainant, the defacto complainant had lodged this false complaint against the petitioner herein. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) for the respondent would submit that the statement of the victim girl under Section 183 BNSS was recorded. The allegation as against A1 is that, he is a married man and made a love proposal to the victim girl and threatened her to marry him and also had a sexual relationship with her. A2 is the maternal aunt of the victim girl, who helped A1 to commit the above alleged offence. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the representation made by both side learned counsel and considering the nature of allegations leveled against this petitioner and still the investigation has not yet completed and the charges leveled against him is grave in nature, this Court is declined to grant bail to A1 / petitioner. Accordingly, this Criminal Original Petition stands dismissed.

14.10.2024

smv

P.DHANABAL,J



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