



Crl.O.P.No.28356 of 2024

A.D.JAGADISH CHANDIRA, J.

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 16.08.2024, seeking bail in Crime No.31 of 2024 for the alleged offences punishable under Sections 5(m), 5(1), 6 of POCSO Act.

2. The case of the prosecution is that the petitioner, who is an auto driver aged about 42 years had committed penetrative sexual assault against the victim girl aged about 11 years. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and false complaint has been given against him. He also submitted that the petitioner has not committed any offence as alleged by the prosecution, however, he is in custody from 16.08.2024. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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Sma

4. Learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed for granting bail to the petitioner stating that the petitioner, who is aged about 42 years had committed penetrative sexual assault against the victim girl aged about 11 years.

5. Heard both sides and perused the materials available on record including the statement of the victim girl, wherein she had categorically stated that the petitioner had committed penetrative sexual assault on her.

6. Considering the gravity of the offence committed by the petitioner, which is serious and heinous against the victim girl, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

13.11.2024

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