



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17089 of 2026

S.Manogar
S/o.late.Subramani,
No.175, Patti street,
Ethanemili village,
Mel Athipakkam post,
Gingee taluk,
Pin Pin 604207,
Villupuram district.

..Petitioner/Accused -2

Vs

State by
Inspector of Police,
AWPS Gingee taluk,
Villupuram district.
Cr.no.18/2026.

..Respondent/
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant an anticipatory bail in the event of arrest by the respondent police in Case Cr.No.18/2026 on the file of Inspector of Police, AWPS Gingee Town and Taluk, Villupuram district.

For Petitioner(s):

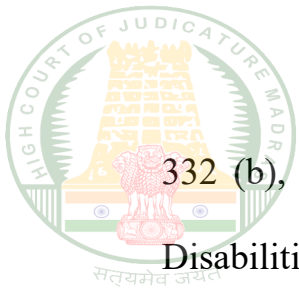
M/S. THIRUMALAI P

For Respondent(s):

MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections

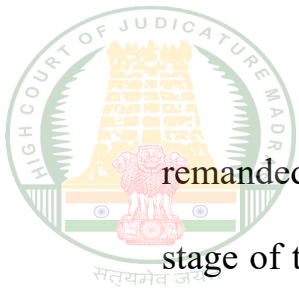


332 (b), 6 of BNS, 2023 and read with 92(b) of the Rights of Persons with Disabilities Act 2016, in Crime No.18 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioner and another accused person allegedly had sexual intercourse with the victim, a mentally challenged girl aged about 18 years, while she was alone at home, resulting in her pregnancy. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that he is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side), appearing for the respondent police, upon instructions, submitted that there are no previous criminal antecedents as against the petitioners, the petitioner is arrayed as A2. She further submitted that the victim is a mentally challenged person and that the allegation against Accused Nos. 1 and 2 is that they committed rape on the victim, as a result of which she became pregnant and subsequently gave birth to a child. It was further submitted that the first accused has been arrested and



remanded to judicial custody. In view of the gravity of the allegations and the stage of the investigation, she strongly opposed the grant of anticipatory bail to the petitioners.

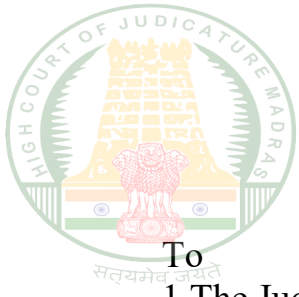
5. This Court has considered the submissions made on either side.

6. Considering the submissions made by the learned Government Advocate (Crl. Side), it is seen that the victim is a mentally challenged person. The allegation against the petitioners is that they committed aggravated sexual offences against the victim, as a result of which she became pregnant and subsequently delivered a child. It is further seen that the first accused has already been arrested and remanded to judicial custody, and that the offences have subsequently been altered to include the provisions of the POCSO Act.

7. Having regard to the gravity and seriousness of the allegations, the nature of the offences alleged, and the stage of the investigation, this Court is of the considered view that this is not a fit case for granting the discretionary relief of anticipatory bail. Accordingly, the Criminal Original Petition is dismissed.

JRS

03-07-2026



To

1. The Judge, POCSO court of Villurpuram, villurpuram District.

2. The Inspector of Police,
AWPS Gingee taluk,
Villupuram district.
Cr.no.18/2026.

3. The Public Prosecutor,
Madras High court.

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C.KUMARAPPAN, J.

JRS

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