



WEB COPY

CRL OP No. 19923 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19923 of 2026

Milton Joshva

..Petitioner

Vs

The Inspector of Police,
All Women Police station Villupuram,
Villupuram District.
Crime No.141 of 2025.

..Respondent

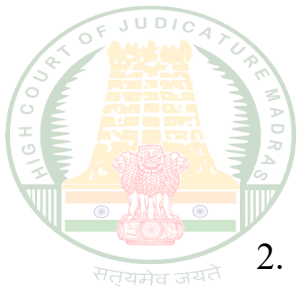
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to order enlarge the petitioner on bail in Crime No.141 of 2025 on the file of the respondent.

For Petitioner: Mr.K.Karuppaiyamooppanar

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.12.2025 for the alleged offences under Sections 87, 127(2) and 75(2) of BNS Act and Section 5(m) r/w 6 of the Protection of Child from Sexual Offences Act (POCSO), 2012 in Crime No.141 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner kidnapped and committed aggravated penetrative sexual assault on the victim girl. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, has not committed any offense as alleged by the prosecution and has been falsely implicated in this case. He further submitted that this complaint came to be registered only due to previous enmity between the families and that the petitioner is a college going student. He would further submit that the petitioner has been in judicial custody since 17.12.2025, is ready to cooperate with the investigation, and is willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of bail to the petitioner."

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and submitted that the statement of the victim under Section 183 of the BNSS has been recorded. He further submitted that the investigation is completed and the charge sheet has been filed and taken on file as Special S.C. No. 19 of 2026

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. On perusing the statement recorded under Section 183 of the BNSS, it is observed that the victim is aged about 9 years and has spoken explicitly about the aggravated penetrative sexual assault committed by the petitioner. As rightly contended by the learned Government Advocate, if the petitioner is enlarged on bail, it would cause fear and apprehension in the mind of the victim, who is a neighbor, while deposing before the Court. Hence, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition stands dismissed.

24-07-2026

NSL

To

1. The Inspector of Police, All Women Police station Villupuram, Villupuram District.
2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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