



WEB COPY

CRL OP No. 19531 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19531 of 2026

M.Danial

..Petitioner

Vs

The State represented by,
The Inspector of Police,
AWPS Police Station,
Nagapattinam District,
Crime No.10 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused on bail in Crime No.10 of 2026 (on the file of the AWPS Police Station at Nagapattinam District) pending investigation on the file of the Respondent Police.

For Petitioner:

M/s.M.Sarath Kumar

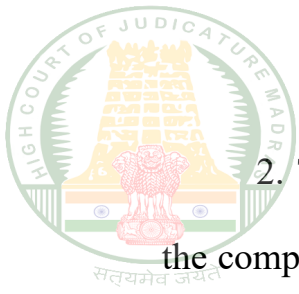
For Respondent:

Mr.S.Yogaraja Sekar

Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.02.2026 for the alleged offences under Section 64(2)(K) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 92 of rights of persons with disabilities Act, in Crime No.10 of 2026 on the file of the respondent police, seeks bail.

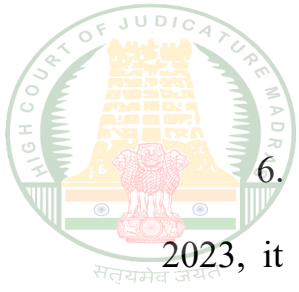


2. The case of the prosecution is that the victim, who is the daughter of the complainant has been suffering from a permanent physical disability in both legs since birth. It is alleged that on 15.02.2026, at about noon, when the victim's mother had gone out to consult an astrologer, the petitioner/accused, who belongs to the same village, criminally trespassed into the house. Taking advantage of the victim's physical disability and the absence of her mother, the petitioner allegedly committed rape on the victim. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He also submits that the petitioner has been in judicial custody since 16.02.2026 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for the grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that statement under Section 183 of BNSS has been recorded.

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, 2023, it is seen that there are serious allegations against the petitioner. The victim is a person with a 95% permanent physical disability, suffering from cerebral palsy. Considering the gravity of the allegations and as rightly contended by the learned Government Advocate (Criminal Side), enlarging the petitioner on bail would affect the moral fibre of society. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

22-07-2026

NSL

To

1. The Inspector of Police, AWPS Police Station,
Nagapattinam District.

2. The Public Prosecutor, High Court of Madras.



WEB COPY

CRL OP No. 19531 of 2



C.KUMARAPPAN, J.

NSL

CRL OP No. 19531 of 2026

22-07-2026