



WEB COPY

CRL OP No. 22793 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 22793 of 2026

Sanjithkumar @ Sajithkumar
S/o.Vijayakumar,
No.13A 89, R.S.Nagar, Pichanoor Village & Post,
Gudiyatham Taluk, Vellore District.

..Petitioner(s)

Vs

The State rep by the Inspector of Police
AWPS Gudiyatham Police Station, Vellore.
Crime No.28 of 2026.

..Respondent(s)

Criminal Miscellaneous Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS) 2023, to enlarge the petitioner on bail
pending on the file of the Respondent in Crime No.28/2026.

For Petitioner(s): M/S. D.Thirumoorthy

For Respondent(s): Mr. M.M.I. Khaleel,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.07.2026 for the alleged offence under Sections 64(1), 318(3) and 351(2) of
Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.28 of 2026 on the file of the
respondent police, seeks bail.



2. The case of the prosecution is that the petitioner, having engaged in a love affair with the victim, seduced her and subjected her to forcible sexual intercourse, and subsequently lured her to his house under the false promise of marriage where he committed penetrative sexual assault, resulting in her pregnancy. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner and the victim were in a consensual romantic relationship, and contended that while this is a case of consensual sex, the petitioner has already been in custody since 25.07.2026. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for the grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is aged 33 and the victim is aged 25, had forcible sexual intercourse with her under the false promise of marriage, as a result of which she became pregnant, and he has now refused to marry her. He further submitted that the statement under Section 183(3) of the BNSS has not yet been recorded, and the investigation is still underway. He contended that though the



petitioner has no previous cases pending against him, if the petitioner is enlarged on bail, there is every apprehension of his tampering with witnesses, and therefore, vehemently opposed the grant of bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking note of the submissions made by the learned Government Advocate (Criminal Side), this Court must have regard to the gravity of the offence, the victim's pregnancy, and the fact that the crucial statement under Section 183(3) of the BNS has not yet been recorded. Even though the petitioner has no previous cases pending against him, enlarging him on bail at this stage, when the investigation is still underway, would seriously prejudice the case. Therefore, this Court is of the firm view that this is not a fit case for the grant of regular bail.

6. Accordingly, this Criminal Original Petition stands dismissed.

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N.RAMESH, J.

KLT

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