



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.3161 of 2025

Antony Victor Noyal
S/o.Thomas

... Petitioner/Accused

Vs.

State of Tamil Nadu
rep. by Inspector of Police,
All Women Police Station,
Dharapuram,
Tiruppur District.
(Crime No.23 of 2024)

... Respondent

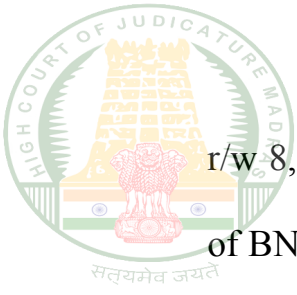
PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.23 of 2024 on the file of the respondent police.

For Petitioner : Mr.T.Shunmugarajeswaran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.11.2024, seeking bail in Crime No.23 of 2024 registered for the offence under Sections 5(u), r/w 6, 7



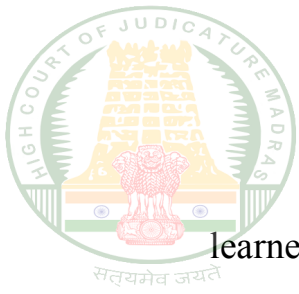
r/w 8, 9(m), 9(n), 9(l) r/w 10, 11(3) r/w 12 of POCSO Act 2012 and 351(2)
of BNS.

WEB COPY

2.The case of the prosecution is that the petitioner is the biological father of the victim aged about 12 years and had continuously committed penetrative sexual assault when the mother was not at home. Hence the case.

3.Learned counsel appearing for the petitioner submitted that the allegations are false and the complaint was lodged and at the instance of the mother; since the petitioner had strained relationship with her and in any case, that further custody is not required and considering the period of incarceration, prays for grant of bail to the petitioner.

4.Learned Government Advocate (CrI.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted that the Section 164 Cr.P.C. statement shows that the victim has been continuously harassed by the petitioner.



5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record including the statement recorded under 164 Cr.P.C from the victim girl.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Counsel on either side and also considering the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner at this stage.

7. Hence, this Criminal Original Petition is dismissed.

07.02.2025

drl

SUNDER MOHAN, J.

drl



Crl.O.P.No.3161 of 2



Copy to:

WEB COPY

1. The Inspector of Police,
All Women Police Station,
Dharapuram, Tiruppur District.
2. The Superintendent,
Central Prison, Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3161 of 2025

07.02.2025