



CrI.O.P.No.11990 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.11990 of 2025

Kumaresan

... Petitioner/Single Accused

Vs.

State rep. by
The Inspector of police,
All Women Police Station-Attur,
Salem District.
Crime No.16 of 2025

... 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.16 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Prem Balaji

For Respondent : Mr.L.Baskaran
Government Advocate (CrI. Side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.03.2025, for the offence punishable under Sections 352(2), 332(b) of BNS, Section 5(l), 6 of POCSO Act in Crime No.16 of 2025 on the file of the respondent.

2. Learned counsel for the petitioner submitted that the petitioner has been

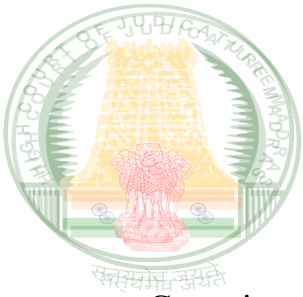


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falsely implicated in this case and A2, who is the mother of the victim girl had been granted bail by the trial Court and on the ground of parity, he seeks bail for the petitioner. He further submitted that the petitioner used to have liquor with the victim girl's father and the same was aggrieved by the victim girl, due to which, victim girl as lodged a false complaint against the petitioner as if he had committed penetrative sexual against her. He further submitted that, the statement of the victim girl and the medical record does not go together.

3. The learned Government Advocate (Crl. Side) strongly opposed for grant of bail to the petitioner stating that the petitioner is aged about 50 years and the victim girl is a minor and the petitioner used to visit the victim's house for consuming liquor with the victim's father and the allegation is that when the victim's father had gone to trip, taking advantage of her loneliness, petitioner entered into the victim's house and committed penetrative sexual assault against her on several occasions. He further submitted that the victim had categorically stated the same in her statement recorded under Section 164 of Cr.P.C. He further submitted that the investigation in this case has been completed and the charge sheet also been filed.

4. Considering the gravity of the offence committed by the petitioner, this



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Court is not inclined to grant bail to the petitioner.

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5. Accordingly, this Criminal Original Petition is dismissed.

12.06.2025

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To

1.The Inspector of police,
Arachalur Police Station,
Erode District.

2. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



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