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Crl.O.P.No.12766 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12766 of 2025

Sekar

... Petitioner/ Accused

Vs.

State rep. by
The Inspector of police,
Ambur All Women Police Station,
Tirupattur District.
Crime No.16 of 2024

... 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 2024 on the file of the respondent police.

For Petitioner : Mr.R.Uday Kumar

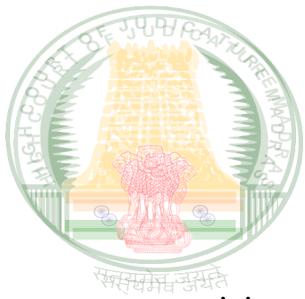
For Respondent : Mr.L.Baskaran

Government Advocate (Crl. Side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.08.2024, for the offence punishable under Sections 64(2)(h), 64(2)(m) and
351(3) of BNS, 2023 read with Section 5(1), 5(j)(ii), 4(2) and 6(1) of Protection of
Child from Sexual Offences Act in Crime No.16 of 2024 on the file of the
respondent.

2. Learned counsel for the petitioner submitted that the petitioner is running

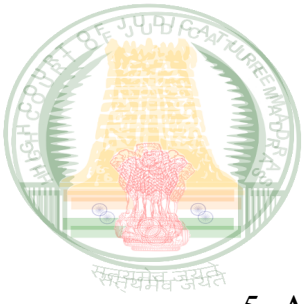


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provision shop and the victim used to come to the shop and the victim parents had an account and they failed to pay the money for the purchase for which, the petitioner used harsh words, aggrieved over the same, the victim has lodged a complaint as if petitioner had committed penetrative sexual assault against her. He further submitted petitioner's preventive detention was quashed by this Court on 01.10.2024. Hence, he prayed for grant of bail to the petitioner.

3. The learned Government Advocate (Crl. Side) strongly opposed for grant of bail to the petitioner stating that the petitioner is aged about 62 years and the victim used to visit the shop and taking advantage of her innocence, petitioner had enticed the victim girl and committed penetrative sexual assault against her, not once, but on several occasions, due to which the victim girl become pregnant and when she was examined by the Doctor, she was found to be minor. He further submitted that, now the victim girl had delivered a boy baby and the DNA report is awaited in this case.

4. Considering the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.



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5. Accordingly, this Criminal Original Petition is dismissed. In the event of DNA report found in favour of the petitioner, he is at liberty to renew the bail application.

12.06.2025

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To

- 1.The Inspector of police,
Ambur All Women Police Station,
Tirupattur District.
2. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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