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CRL.O.P.No.14335 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14335 of 2025

Saravanan

... Petitioner

Vs

State by
The Inspector of Police,
All Women Police Station,
Ammamet
Salem District
Crime.No.21 of 2025

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to enlarge the petitioner on bail in Crime No.21 of 2025, on the file of respondent police.

For Petitioners : Mr.W.Camyles Gandhi

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

ORDER



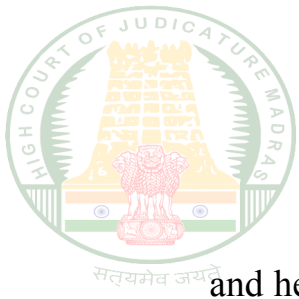
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The petitioner, who was arrested and remanded to judicial custody on 20.03.2025, for the offences punishable under Sections 88, 329(4), 351(2) of BNS Act, 2023 and section 5(l), 5(j)(ii) r/w 6 of POCSO Act, 2012 (312, 448, 506(ii) of IPC) in connection with Crime No. 21 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the defacto complainant/minor victim girl was living with her grandfather's house and the petitioner was working as Maistry in the victim girl's uncle's construction building. On the date of occurrence, the petitioner went to the defacto complainant's house and committed penetrative sexual intercourse on her, resulting in the victim girl becoming pregnant, later, he was given a tablet to her and insisted the victim girl to abort the pregnancy. Due to which, she suffered severe bleeding and got admitted in the hospital. Based on the information received from the hospital authority, a case in Crime No.21 of 2025 has been registered against the petitioner.

3. It is the contention of the petitioner that he is an innocent person

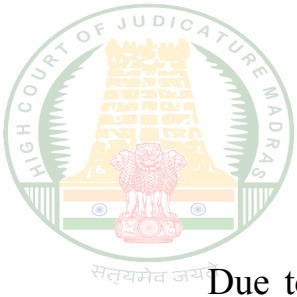


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and he has been falsely implicated in this case. It is his contention that he was engaged by the victim's uncle for construction work and there was some dispute with regard to payment and the petitioner has been framed in the above case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 20.03.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner is a married man, aged about 42 years. He further submitted that petitioner was engaged as mason in the victim girl's uncle's construction building. At that time, the victim girl was in her uncle's house. The petitioner went to the victim girl's uncle's house and committed penetrative sexual assault on her. He further submitted that the petitioner had committed penetrative sexual assault on the minor victim girl not once but on several occasions.



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Due to which, the victim girl become pregnant and later, the petitioner has given tablet and insisted her to abort her pregnancy. He would also submit that the victim girl took the tablet and due to which, she suffered severe bleeding. Thereafter, she was admitted in the Government Hospital, Salem and the victim girl was luckily survived. Thereafter, when the victim girl contacted the petitioner, the petitioner had threatened her that he would post the victim girl's nude photographs in the Instagram and not to disclose true facts about the relationship. He would further submit that statement has also been recorded from the minor victim girl under Section 183 of BNSS. He would also submit that in this case, investigation has been completed and charge has been filed on 12.05.2025 before the concerned court.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record including the statement recorded under Section 183 of BNSS from the minor victim girl.



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6. Taking into consideration the facts and the submissions made by the learned Government Advocate (Criminal Side) that the investigation in this case is completed and charge sheet has also been filed, also considering the statement recorded from the minor victim girl under Section 183 BNSS, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

10.06.2025

Index: Yes/No
Internet: Yes/No
nr

To

1.The Inspector of Police,
All Women Police Station,
Ammamet
Salem District

2. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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