



Crl.O.P.Nos.14547 & 15468 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.14547 & 15468 of 2025

Velan

... Petitioner/A1
in Crl.O.P.No.14547 of 2025

Jayasankar

... Petitioner/A3
in Crl.O.P.No.15468 of 2025

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Harur,
Dharmapuri District.
(Crime No.11 of 2025)

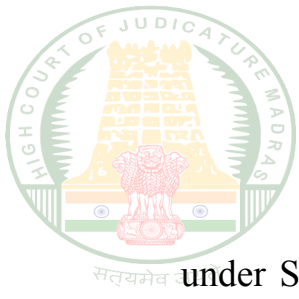
... Respondent
in Crl.O.P.No.14547 of 2025

State rep. by
The Inspector of Police,
AWPS Harur,
Dharmapuri District.
(Crime No.11 of 2025)

... Respondent
in Crl.O.P.No.15468 of 2025

PRAYER in Crl.O.P.No.14547 of 2025: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Crime No.11 of 2025 on the file of the respondent police.

PRAYER in Crl.O.P.No.15468 of 2025 : Criminal Original Petition filed



Crl.O.P.Nos.14547 & 15468 of 2025

under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Crime No.11 of 2025 on the file of the respondent police.

Crl.O.P.Nos.14547 & 15468 of 2025

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

COMMON ORDER

The petitioner/A1 in Crl.O.P.No.14547 of 2025, who was arrested and remanded to judicial custody on 05.04.2025, for the offence punishable under Sections 5(1), 5(j)(ii), 6(1) of POCSO Act and Sections 9, 10 of Prohibition of Child Marriage Act in Crime No.11 of 2025, registered on the file of the respondent and the petitioner/A3 in Crl.O.P.No.15468 of 2025, who was arrested and remanded to judicial custody on 05.04.2025, for the offence punishable under Sections 5(1), 5(j)(ii), 6(1), 7 and 8 of POCSO Act in Crime No.11 of 2025, registered on the file of the respondent, seek bail.

2. The contention of the petitioners is that the de facto complainant/mother of the victim girl found that her daughter (victim girl) was pregnant and lodged a complaint with the respondent police, based on which a case has been registered. Even according to the victim girl, the



WEB COPY

victim girl was initially in love with one Nithishkumar (Nithish), who was arrayed as A2 in Cr.M.P.No.116 of 2025. Since the said Nithish was objected to by her parents, so they had physical relationships on several occasions. Thereafter, the victim girl finds that Nithish is a married man, and she stops talking with him. Using that A3, Jayasankar, a friend of Nithish got access to photographs between Nithish and the victim girl and threatened and had a forcible physical relationship with her. Furthermore, the victim had gone to her uncle's house for the temple festival, at that time when the victim was alone in the house, A1 came there and had a physical relationship with her. Hence, the case.

3. Learned counsel for the petitioners submitted that the petitioners are not reasons for the foetus of the victim girl, and further, the victim girl seems to be a person leading her own way of life, making vague allegations. The DNA has to prove that the petitioners were not the reason for the victim and they have been falsely implicated in this case. He further submits that the petitioners are 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 petitioners,



Crl.O.P.Nos.14547 & 15468 of 2025

WEB COPY

reiterated the prosecution case and submitted that the complaint of the victim girl's mother the case has been registered and the victim was found pregnant, which has been confirmed by the Doctor and it has been aborted. The foetus has been sent for a DNA test, and blood samples are taken from the petitioners/A1 & A3 as well as Nithish. In the meanwhile, the investigation was completed and the charge sheet was filed through e-filing on 30.04.2025 before the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

5. Considering the facts and circumstances of the case and submissions made by the learned counsels on either side, this Court is not inclined to entertain the petitions by giving liberty to the petitioners that, in the event of the DNA test excludes the petitioners, they can renew the bail application.

6. With the above observations and direction, **these criminal original petitions stand dismissed.**

09.06.2025

cda



WEB COPY



Crl.O.P.Nos.14547 & 15468 of 2025

To

- 1.The Sessions Judge, Special Court for Exclusive Trial of Cases
under POCSO Act, Dharmapuri.
- 2.The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

cda



WEB COPY



Crl.O.P.Nos.14547 & 15468 of 2025

Crl.O.P.Nos.14547 & 15468 of 2025

09.06.2025