



Crl.O.P.No.14551 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14551 of 2025

Pavulpeter

... Petitioner/A1

Vs

The State Rep by
Station House Officer,
AWPS – Ulundurpet,
Kallakurichi District.
(Crime No.24 of 2024)

...Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime
No.24 of 2024 on the file of the respondent police.

For Petitioner : Mr.A.Gowtham

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.11.2024, for the offences punishable under Sections 125(2), 351(2),
332(c) of BNS, 2023 r/w Section 5(k), 6 of POCSO Act in connection with



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Crime No.24 of 2024, registered on the file of the respondent, seeks bail.

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2.The case of the prosecution is that the victim girl aged about 16 years is a deaf and dumb. When the victim's mother went for agricultural work, petitioner entered into the victim's house and sexually assaulted her. Hence, the case.

3. The contention of the learned counsel for petitioner is that the petitioner is the neighbour to the victim. The de-facto complainant using her daughter lodged a false case as though the petitioner committed penetrative sexual assault. There was a dispute with regard to the sharing of common area and also dumping of the garbage by the neighbours on the side of the petitioner. Hence, there was a constant fight between them and petitioner has been falsely implicated in this case . Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the victim girl is a minor and a mentally challenged person and the petitioner had committed penetrative sexual assault on her. Since the victim is with mental disability with the aid of Special Educator her statement has been recorded, which confirms the act of



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penetrative sexual assault. Further, in this case investigation completed and charge sheet filed. Hence, strongly opposed for granting bail to the petitioner.

5.Considering the submissions made on either side and on perusal of the material, it is seen that statement under Section 164 Cr.P.C. of the victim girl narrated the sequence of events, which was recorded with the aid of Special Educator. Hence, this Court is not inclined to entertain this bail application and the same is dismissed.

13.06.2025

rsi

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No



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M.NIRMAL KUMAR, J.

rsi

To:

1.The Station House Officer,
AWPS – Ulundurpet,
Kallakurichi District.

2.The Principal Sessions Judge,
Kallakurichi.

3.The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.

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