



WEB COPY



Crl.O.P.No.16241 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16241 of 2025

D.Vijayakumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
SRMC All Women Police Station,
Mangadu, Kanchipuram District.
(Crime No.242 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.242 of 2025, pending investigation on the file of the respondent Police.

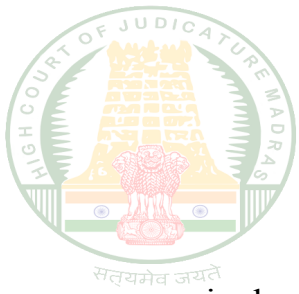
For Petitioner : Mr.S.Veerapathran

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 29.03.2025, seeking bail in Crime No.242 of 2025 registered for the offence under Sections 5(i) r/w 6(1) of POCSO Act.

2. The case of the prosecution is that the petitioner and the victim girl

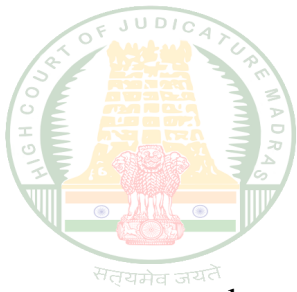


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are in love with each other. The victim girl was a minor at the time of the petitioner having sexual intercourse with her due to which she bleed on occasions. The petitioner is an alcoholic and used to force the victim girl for sexual intercourse by his habits. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner and the victim girl loved each other. When the parents of the victim girl enquired about the same, initially she showed interest and later she refused to marry him. Even then, the petitioner used to visit her and had physical relationship with her. Now she projected as though the petitioner had committed sexual assault on her. He further submitted that the petitioner is falsely implicated in this case. The petitioner is in judicial custody from 29.03.2025 and hence, further custody of the petitioner is not required. He also 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 (Crl.Side) submitted that the petitioner is a driver employed under the parents of the victim girl. When she was studying in the school, she used to go in the car which was drove by the petitioner and the petitioner, taking advantage of the age and psychology of the victim girl, changed her mind and became close to her and thereafter had subjected her to



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sexual assault. The petitioner is an alcoholic and used to force the victim girl by his habits. He had physical relationship with her in a harsh manner that she used to bleed on occasions. Thereafter complaint has been lodged by her parents. The victim girl narrated all these facts in her 164 statement. Hence, he opposed to grant of bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the submission made by the learned counsel appearing on either side and the 164 statement of the victim girl and grave nature of offence, this Court is not inclined to grant bail to the petitioner. Hence, this Petition is dismissed.

09.06.2025

gv

Index: Yes/No

Speaking/Non-speaking Order

Neutral Citation: Yes/No

M.NIRMAL KUMAR.,J.



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gv

WEB COPY

To

1. The Court of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Kanchipuram.
2. The Inspector of Police,
SRMC All Women Police Station,
Mangadu, Kanchipuram District.
(Crime No.242 of 2025).
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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