



CrI.O.P.No.16186 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16186 of 2025

Mani @ Manimaran

... Petitioner

Vs.

The State rep. by
Inspector of Police,
Muthialpet Police Station,
Puducherry District.
Crime No.59 of 2025.

... Respondent

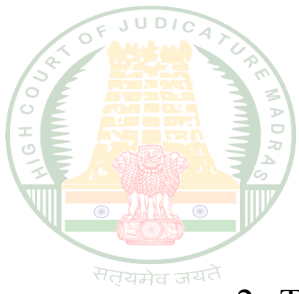
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.59
of 2025 pending on the file of the Respondent police.

For Petitioner : Mr.Swami Subramanian

For Respondent : Mr.K.S.Mohandoss,
Public Prosecutor, Puducherry
Assisted by N.Danalatchumy

ORDER

The petitioner, who was arrested and remanded to judicial custody on
09.04.2025, for the offence punishable under Sections 4, 6 and 10 of POCSO Act,
in connection with Crime No.59 of 2025, registered on the file of the respondent,
seeks bail.



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2. The case of the prosecution as per the defacto complainant is that on 03.04.2025, his daughter and her friend, aged about 14 and 15 years were found missing. Based on the complaint given by the defacto complainant, a case was registered for the offence under Section 137(2) of BNS. During the search for the missing girls, the respondent police traced the victims on the same day at 8.30 p.m, and they were subjected to medical examination, but the victim girls refused to undergo it. Further, on 05.04.2025, the respondent police examined the victim girls and found that they had been subjected to penetrative sexual repeatedly, and hence the case was later altered under Sections 4, 6 and 10 of POCSO Act.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner and the victim girl are neighbours. He would further submit that the petitioner being a younger person of 26 years, without understanding the rigors and consequences of POCSO Act, had committed the offence. Every inmate of the house was aware of it and it was not the case where the petitioner had committed sexual assault on the victim girls. He would further submit that the petitioner is in judicial custody from 09.04.2025.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would vehemently oppose, stating that the petitioner had



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kidnapped the minor daughter of the defacto complainant and her friend along with other accused persons, and had committed repeated penetrative sexual assault on them. He further submitted that the petitioner is running an A/c mechanic shop in the locality of the victim girls. He further submitted that the petitioner, along with other accused persons took the victim girls on a bike to a lodge and thereafter committed penetrative sexual assault on them. He would further submit that the medical examination of the petitioner as well as the victim girls is over and the statement under Section 164 Cr.P.C., has also been recorded from the victim girls, wherein the victim girls stated that they were administered alcohol to make them unconscious and thereafter they had been subjected to penetrative sexual assault by several persons and one among them was a lady who has given liquor to them. He further submitted that the victim girls were secured by the respondent police in an open place near the beach where they stayed for the whole night and thereafter were subjected to medical examination. There are two victims aged about 13 years and they confirmed that they are subjected to penetrative sexual assault. He further submit that the 8 accused persons have been arrested and three of them have absconded. Out of 11 accused persons, three accused persons are major and six persons are juveniles. He further submit that the investigation is still pending.



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M.NIRMAL KUMAR, J.

gv

5. Heard both sides and perused the materials available on record. Perused the F.I.R. and the statement recorded from the victim girl under Section 164 Cr.P.C., and also the other materials placed on record.

6. Considering the nature of allegations and the stage of investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

09.06.2025

To

1. The Fast Track Court Exclusively
to deal with offences under the POCSO Act,
Puducherry.
2. The Superintendent,
Central Jail, Puducherry.
3. The Inspector of Police,
Muthialpet Police Station,
Puducherry District.
4. The Public Prosecutor,
Puducherry.

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