



Crl.O.P.No.16204 of 2025

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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.16204 of 2025

Moorthi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
AWPS- Vellore Police Station,
Vellore District.
(Crime No.10 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.10 of 2025, pending investigation on the file of the respondent Police.

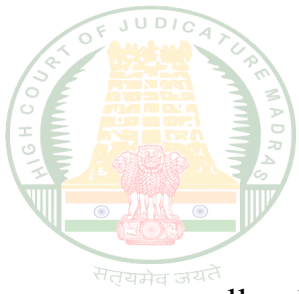
For Petitioner : Mr.D.Thirumoorthy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.03.2025, for the offence punishable under Sections 137(2) and 65(2) of BNS Act,2023 (363 and 376 AB of IPC and 5(m) r/w 6 of POCSO Act, 2012 in connection with Crime No.10 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have

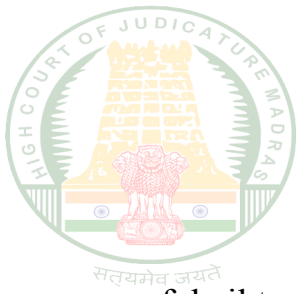


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sexually abused the minor daughter of the defacto complainant, when she was alone at her residence. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is the landlord of the defacto complainant. He further submitted that due to previous enmity, the petitioner has been falsely implicated in this case. The petitioner is in judicial custody from 17.03.2025 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 defacto complainant is the tenant in the house of the petitioner. When the victim girl was playing along with her friends, the petitioner had taken her to the second floor in an isolated place in open terrace and committed penetrative sexual assault on her and also made the victim girl touch his private part. He has also threatened the minor victim girl not to disclose the said incident to anyone. On knowing the said incident through the grandmother of the victim girl, complaint has been lodged by the defacto complainant. He further submitted that in the 164 statement, the victim girl has narrated the said incident. He further submitted that the investigation has been completed and charge sheet filed on 07.05.2025. Hence, he opposed to grant



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of bail to the petitioner.

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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 at this stage. Hence, this Petition is dismissed.

09.06.2025

gv

Index: Yes/No

Speaking/Non-speaking Order

Neutral Citation: Yes/No



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M.NIRMAL KUMAR.,J.

gv

To

1. The Special Judge for Exclusive Trial of Cases under POCSO Act, 2012
Vellore.
- 2.The Inspector of Police,
AWPS- Vellore Police Station,
Vellore District.
(Crime No.10 of 2025).
3. The Superintendent,
Central Jail, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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