



WEB COPY

CRL OP No. 17345 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17345 of 2025

Kumaraguru

Petitioner

Vs

State Rep. by The Station House Officer

Mangalam Police Station, Puducherry

District. (Crime No.44/2025)

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.44 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.M.P.Yuvaraj

For Respondent(s): M/s.K.S. Mohandass
Public Prosecutor (Puducherry)

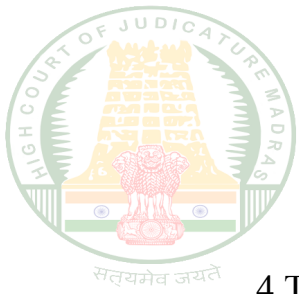
**ORDER**

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 17.05.2025, for the offence punishable under Section 137(2) of BNS, 2023 (363 of Indian Penal Code) and Section 6 of Protection of Children from Sexual Offences Act, in connection with Crime No.44 of 2025, registered on the file of the respondent, seeks bail.

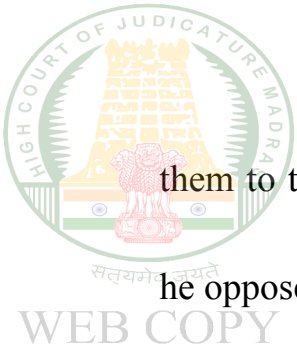
2.The prosecution alleges that the defacto complainant's 17 year old daughter, a 12th standard student, went missing on 17.04.2025. The complainant searched for her and suspected kidnapping, leading him to lodge a complaint with the respondent police.

3.The contention of the petitioner is that the petitioner and the victim girl having love affair which was opposed by the victim's family members and hence it has been projected as now the petitioner has committed penetrative sexual assault. The victim is still in love with the petitioner and the petitioner is ready to marry the victim girl once she attain majority.



WEB COPY

4. The learned Public Prosecutor (Puducherry) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner is a regular offender involved in similar nature of offences and also IPC offence. The petitioner is an accused in Crime No.114 of 2022 for the offence under Sections 147, 148, 341, 323, 324, 294(b), 427, 506(ii) IPC r/w 149 IPC & Sections 3(1) (r) and Sections 3(1)(s) of SC/ST (POA) Act 1989 (Amendment Act 2015) registered by the Mangalam Police Station and the charge sheet has been filed and same is pending before the Puducherry Sessions Court. Likewise, the petitioner has involved in yet another case in Crime No.199/2024 for the offence under Sections 3(2)(a), 4(2)(c), 5(1)(a)(d) of Immoral Traffic (Prevention) Act 1956, registered by the Villaneur Police Station, Puducherry and the same was under investigation. In the present case, the petitioner is A1 and the co-accused/A2 and A3 still absconding. The investigation has been completed and also charge sheet filed. The petitioner used to lure the young ladies and also commit penetrative sexual assault. Thereafter, using this incident, he has also brings



them to the prostitution. The petitioner is the menace to the society, and hence he oppose the grant of bail to the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Public Prosecutor (Puducherry) appearing for the respondent and perused the materials available on record.

6. Taking into consideration the allegations against the petitioner and taking note of the fact that the case is of grievous offence, this Court is not inclined to grant bail to the petitioner.

7.In view of the above submissions made by the learned counsel on either side, this Criminal Original Petition stands dismissed.

24-06-2025

gbi

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



WEB COPY

CRL OP No. 17345 of 2025





To
WEB COPY

- 1.State Rep. by The Station House
Officer
Mangalam Police Station, Puducherry
District. (Crime No.44/2025)
- 2.The Fast Track Court Exclusively to
deal with Offences under the POCSO
Act, Puducherry.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Central Prison Kalapet,
Puducherry.



WEB COPY

CRL OP No. 17345 of 2025



M.NIRMAL KUMAR J.

gbi

**CRL OP No. 17345 of
2025**

24-06-2025