



Crl.O.P.No. 19869 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.19869 of 2025

Prakash

... Petitioner

Vs.

The State Rep. By
The Inspector of Police,
AWPS, Hosur.
Crime No. 61 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.61
of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested on 11.06.2025, for the offence punishable under Sections 3(a), 4 of POCSO Act in Crime No. 61 of 2025, registered on the file of the respondent, seeks bail.



CrI.O.P.No. 19869 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner is alleged to have committed sexual assault on a minor girl and based on the complaint lodged by the defacto complainant, who is the mother of the victim, an FIR was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner and the victim are relatives and were in a consensual relationship after an understanding for marriage was reached between their families. However, due to subsequent misunderstandings between the families, the defacto complainant, out of enmity, has lodged a false complaint. The learned counsel appearing for the petitioner also states that he had earlier filed a bail petition in CrI.M.P. No. 299 of 2025, which was dismissed on 26.06.2025. The petitioner is suffering incarceration from 11.06.2025. He further 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. The learned Government Advocate (Criminal Side), opposing the grant of bail, submitted that the offences alleged are grave and pertain to the sexual assault of a minor. The DNA report has conclusively established the involvement of the petitioner. It is further submitted that the petitioner custodial



Crl.O.P.No. 19869 of 2025

interrogation is necessary for a fair and effective investigation. Given the sensitivity of the case and the age of the victim, it was argued that granting bail at this stage may hamper the investigation.

5. Upon consideration of the submissions and perusal of the available materials, this Court is of the view that the allegations are serious in nature, involving a minor victim under the POCSO Act. The DNA report, *prima facie*, supports the case of the prosecution. The petitioner's previous bail petition has already been dismissed recently and there is no significant change in circumstances warranting a different view and the investigation is stated to be at a crucial stage, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

14.07.2025

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To

1. The Inspector of Police,
AWPS, Hosur.
2. The Public Prosecutor,
High Court of Madras.

3/4



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Crl.O.P.No. 19869 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No. 19869 of 2025

14.07.2025