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Crl.O.P.No.22019 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.22019 of 2025

Rajesh

... Petitioner/Accused

Vs.

The State Represented by
The Inspector of Police,
B2 – Vishnu Kanchi Police Station,
Kancheepuram District.
(Crime No.825 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Spl.S.C.No.89 of 2025 pending trial on the file of the learned Principal
District and Sessions Court, Kancheepuram.

For Petitioner : Mr.V.Purushothaman

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
01.10.2024 for the alleged offence punishable under Section 194 of BNSS,
2023, subsequently altered to Section 87 (2 count), 76, 103 of BNS, 2023 and

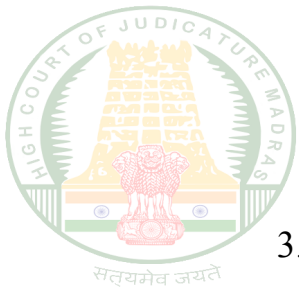


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Sections 9(m) r/w 10 (2 count) of POCSO Act in Crime No.825 of 2024 on
the file of the respondent police, seeks bail.

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2.The case of the prosecution is that this petitioner befriended with the family members of two victim children (one died). After befriending, he used to take the children to his home and during the month June, 2024, he started taking the children continuously and sexually abused both the children, more particularly, he used to attack the deceased victim boy by committing unnatural offence and also attacked him with knife and caused cut injuries. On 28.09.2024, the accused took both the children to his house around 2.00 p.m., in spite of refusal by the children to accompany him. He brutally attacked the victim boy by pressing the private parts of the victim boy. He also caused severe injuries to the victim boy. Thereafter, by engaging another person he dropped both the children to their house and subsequently, the boy has developed serious illness and consequently died. Thereafter the case was registered by the respondent police on 29.09.2024.



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3.The learned counsel for the petitioner submitted that the petitioner was suffering from 75% of blindness and he has also read over the various portions of the statement of the surviving victim girl and drew attention of this Court to the fact that after the boy was dropped into the house of the de-facto complainant, the boy was administered with some medicines, he was also stayed there in the house for few hours. There was no clarity regarding what was happened after the boy was dropped and it is also the admitted case that the victims were dropped back to their home not by the accused herein but by some other person. He also stated that there is no whisper about the external injuries found in the body of the deceased boy when he was dropped back to his house. He further raised some other allegations that there is a possibility of involvement of other persons for causing injuries and hence, prays to grant bail to the petitioner.

4.Per contra, the learned Government Advocate (Crl. Side) has produced a post-mortem report and the statement of the surviving victim girl and on perusal of the same it reveals that the deceased victim was found with



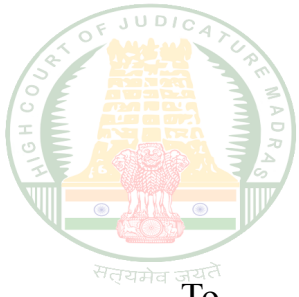
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several external injuries including fracture on the chest. The statement of the surviving victim girl also shows the manner in which the occurrence had taken place including the attack made by the accused herein on the victim boy.

5.That being the case, I am of the view that there are materials placed before me to *prima-facie* establish the involvement of the accused/petitioner herein for causing several external injuries to the deceased boy and also for sexual assault on the victim girl. Though it is stated that the petitioner is in custody for 355 days, I am of the view that the manner in which the death caused to the victim boy is gruesome and the victim girl also suffered a lot in the hands of the petitioner. Hence, I am not inclined to grant bail to the petitioner and the Criminal Original Petition stands dismissed.

19.09.2025

rsi



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To
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1. The Inspector of Police,
B2 – Vishnu Kanchi Police Station,
Kancheepuram District.
2. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

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