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Crl.OP.No.23479 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.23479 of 2025

Santhosh

... Petitioner

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
Erode.
(Cr.No.16 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending investigation of the case in the Cr.No.16 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.Vijayaragavan

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.07.2025 for the alleged offence under Section 5(g) and 6 of Protection of Children from Sexual Offences Act, 2012 in Crime No.16 of 2025, on the file of the respondent police, seeks bail.

2. The allegations against the petitioner is that A1 had love affair with the victim girl who is 50% mentally disabled and had taken her to a isolated place, wherein A1 along with other accused gang rape her. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that there is no reference about the petitioner's name in her statement except the bald allegations that three friends had committed penetrative sexual assault and nothing more. He further submitted that the petitioner has been in judicial custody from 09.05.2025. He 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) appearing for the respondent police reiterated the prosecution case and reported that the petitioner's earlier bail application was dismissed by this Court on 07.07.2025. He further reported that after completion of investigation, final



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report filed before the learned Sessions Judge, Mahila Neethi Mandram, (Fast Track Mahila Court) Erode, the same has been taken on file in Spl.S.C.No.158 of 2025 and if the petitioner is released on bail, there is every possibility of tampering the witness. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, the gravity of offence committed by the petitioner and also taking note of the fact that there is no change of circumstances after the dismissal of the petitioner's earlier bail petition and final report filed before the learned Sessions Judge, Mahila Neethi Mandram, (Fast Track Mahila Court) Erode and the same has been taken on file in Spl.S.C.No.158 of 2025, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

Vv

16.09.2025

To

1. The Sessions,

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Mahila Neethi Mandram,
(Fast Track Mahila Court) Erode.

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2. The Inspector of Police,
All Women Police Station,
Erode.

3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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Vv

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